

T10-SC-TS

2500

1 Arroyo - Cross - Rivera

2 A Yes.

3 Q And the job of a district attorney, the primary job
4 of the district attorney is to assist the police in getting a
5 statement from a defendant?

6 A That's not correct.

7 Q They assist the police in getting a video statement
8 from the defendant, is that correct?

9 A They did perform video statements, yes.

10 Q When you got the statement from Ramon Santana, you
11 didn't run out and call the DAs office and say we got a
12 statement from Defendant Santana, come on down so we can make
13 a video of it?

14 A Absolutely not.

15 Q You waited to get statements from all defendants
16 before you called the DAs office?

17 MR. CLEMENTS: Objection.

18 THE COURT: Objection sustained.

19 Q And so -- were you present when a video statement
20 was taken of Ramon Santana?

21 A Yes, I was.

22 Q And who else was present in the room?

23 A Ramon Santana, Ramon Santana, Sr., district attorney
24 Liz Lederer and detective Mike Sheehan.

25 Q And yourself, is that correct?

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1 Arroyo - Cross - Rivera

2 A And myself.

3 Q And detective Sheehan is from the Manhattan North
4 Homicide?

5 A That's correct.

6 Q Did you escort Ramon into the video room?

7 A I don't recall. I don't believe I did. I don't
8 recall if I did escort him.

9 Q Did you at any point in time tell Ramon that they
10 were going to take a video statement of him?

11 A No, I don't recall.

12 Q When you finished questioning Ramon at 4:40 in the
13 afternoon, did you say Ramon, you got to wait around because
14 we're going to take a video statement of you?

15 A You got to what?

16 Q You have to wait around because we're going to take
17 a video statement of you?

18 A No, I didn't tell him that.

19 Q It was your testimony you went up and you gave a
20 statement that you took from Ramon Santana to one of the
21 supervisors, is that correct, detective supervisors?

22 A That's correct.

23 Q Was that detective supervisor Lieutenant Doyle?

24 A That's correct.

25 Q And this was the commanding officer of the homicide

1 John Farrell

2 43 for almost three years.

3 A. I can't remember the exact amount
4 of time I was in these places. I remember being
5 in them. The exact amount of times, you know, I
6 moved around a lot in the police department.

7 Q. I appreciate that these events
8 happened quite a long time ago, and I'm only
9 asking you to do the best you can with whatever
10 memory you have.

11 A. That's fine.

12 Q. But I do want to, you know, from
13 time to time, I'll press you a little bit to see
14 if I can get a more exact memory of it.

15 Do you remember approximately what
16 year it was that you went to the Manhattan DA's
17 Squad?

18 A. 1981, approximately 1981.

19 Q. How long were you in the Manhattan
20 DA's Squad?

21 A. I was in the Manhattan DA's Squad
22 until 1986, I believe, and then I went to the
23 19th Detective Squad.

24 Q. How long were you there?

25 A. A very short time, and then I went

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John Farrell

to the Manhattan South Task Force, Detective
Task Force on Night Watch.

Q. On Night Watch, all right. So the
Night Watch was part of the Manhattan South Task
Force Detective Squad?

A. Yes.

Q. Approximately what year did you go
to Night Watch, if you can remember?

A. I said I believe it was 1986.

Q. '86, all right. And is that the
position you were in when you retired?

A. Yes.

Q. During your time in the Manhattan
DA's Squad, which was approximately what, five
years, 1981 to 1986?

A. Yes.

Q. Were there any particular cases
that you were assigned to work on?

A. I worked on everything, organized
crime, white collar crime and anything that the
DA's office decided to investigate.

Q. Did you work on any sex crimes
cases?

A. No, I don't believe I did, no.

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1 John Farrell

2 Q. Did you work on any homicides when
3 you were in the DA's Squad?

4 A. I don't believe I did while on the
5 DA's Squad, no.

6 Q. During the time you were assigned
7 to the Manhattan DA's Squad, did you know Linda
8 Fairstein?

9 A. Yes.

10 Q. And did you work on cases with her
11 during the time you were in the Manhattan --

12 A. District Attorney's.

13 Q. -- DA's Squad?

14 A. I don't recall.

15 Q. How did you know her?

16 A. She was a sex crimes prosecutor for
17 the DA's office.

18 Q. During that entire period of time
19 you were there?

20 A. I believe so. I'm not sure if she
21 left before me or after me. I didn't keep track
22 of her. I don't know.

23 Q. Do you recall whether you actually
24 worked on a case with her though?

25 MR. MYERBERG: Objection.

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1 John Farrell

2 A. I don't recall. I know I've worked
3 on cases with other people that might have
4 worked on cases with her. But that's the way it
5 was in the DA's Squad, they tell you to go out
6 and help someone.

7 Q. File your report and go on to the
8 next one?

9 A. Yes.

10 Q. Did you know Elizabeth Lederer?

11 A. Yes.

12 Q. Do you recall ever working on any
13 cases with her?

14 A. I've seen her a few times, so I
15 believe maybe I did. I'm not sure.

16 Q. Before April of 1989?

17 A. I'm not really sure.

18 Q. But you think you may have worked
19 on some matters with her before then?

20 MR. MYERBERG: Objection.

21 A. I'm not positive.

22 Q. I'm not asking you to be positive.
23 But you think you might have worked on some
24 cases with her, right?

25 A. I don't know.

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1 John Farrell

2 Q. What about an Assistant District
3 Attorney named Nancy Ryan, do you know her? Did
4 you know her when you were in the squad?

5 A. I don't remember the name, no.

6 Q. Is this the first time you're
7 hearing her name?

8 MR. MYERBERG: Objection. Are you
9 saying outside the presence of counsel? I
10 mean, is that the question? If it is, it's
11 privileged.

12 Q. I'm sorry, outside of the presence
13 of any conversations you may have had with any
14 of your lawyers, have you ever heard her name
15 before?

16 A. I don't recall hearing her name
17 before.

18 Q. What about a District Attorney
19 named Peter Casolaro, did you ever work with
20 him?

21 A. I never heard of him.

22 Q. You never heard of him, all right.

23 How about a District Attorney named
24 Harlan Levy, did you ever work with him when you
25 were in the DA's Squad?

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POWERS - PEOPLE - DIRECT - LEDERER

Q What happened after everyone was in the car?

A Clarence Thomas began to cry and stating "I know who did the murder. I know who did the murder. I know where he lives and I'll tell you his name."

Q Prior to Clarence Thomas saying that, had you asked him any questions?

A No, I didn't.

Q Did he say anything further to you at that time?

A Kevin Richardson also stated that he knew who did it. He said, "Yeah, I know who did it, and I'll tell you also." And then Clarence stated it was Antron McCray. "He lives at

," and the Kevin Richardson stated "Yeah, that's who did it."

Q Did either of them say anything else to you?

A Clarence also stated he knows the pipe that he used. He said he put it at 97th Street and Central Park West, near the projects.

THE COURT: who said that?

THE WITNESS: Clarence Thomas.

Q Were those statements while the vehicle was

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moving or while it was still stationary?

A While we were enroute to 100 Street and Central Park West.

Q What happened when you arrived at 100 Street and Central Park West?

A I informed my sergeant of the statements that the two made.

Q When you say you informed your sergeant, to whom are you referring?

A Sergeant Laile.

Q And where did you inform him of those statements?

A At 100 Street and Central Park West.

Q Were you still in the vehicle at that time?

A No, I had gotten out.

Q Was Kevin Richardson still in the vehicle?

A Yes, he was.

Q And was Clarence Thomas still in the vehicle?

A Yes, he was.

Q Was there a discussion at 100 Street and Central Park West regarding a show-up?

A Yes, there was.

Q Do you recall what was said and who said

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Hearing

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called by the People, having been first duly sworn, testified under oath as follows:

COURT OFFICER: Officer, please be seated.

In a loud, clear voice, state your name, full name, spell your last name, your shield number and present command.

THE WITNESS: My name is Police Officer Robert Powers, P-O-W-E-R-S. Shield 13732, Central Park Precinct.

THE COURT: Officer, you are going to have to talk directly into that microphone.

DIRECT EXAMINATION

BY MS. LEDERER:

Q On April 19, 1989, how long had you been assigned to the Central Park Precinct?

A A little bit less than two years.

Q And you were assigned to a particular unit within the Central Park Precinct?

A Central Park Precinct, Anti-Crime Unit.

Q On April 19, 1989, what tour of duty did you work?

A Four to twelve.

Q Who was your partner?

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A Officer Eric Reynolds.

Q Were you working on foot that night or were you in a vehicle?

A We were in a vehicle.

Q In what vehicle were you in?

A Green Parks Department van.

Q Who was driving?

A I was.

Q Approximately what time did you take meal that night?

A Approximately eight o'clock.

Q And at about what time was it that you finished meal and returned to duty?

A Nine o'clock.

Q What, if anything, did you hear over the radio when you returned from meal that night?

A At approximately 9:30 we heard a call for an assault at 102nd Street and the East Drive.

Q Was there any more information given in that communication that you heard?

A A group of seven hispanics.

Q Did you recognize the voice that put over that communication?

A No, I didn't.

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Q What did you do when you heard that communication?

A We responded to the area.

Q The communication that you heard regarding that assault, was there any description about the age of the seven hispanics?

A It was a group of seven hispanics approximately 15 to 17 years of age.

Q And was any description made -- given as to the gender or sex of those people?

A Seven males.

Q What did you do when you received that communication?

A We were canvassing the area, in other words, I mean to search the area for the group.

Q What area did you search?

A The east drive -- along the East Drive from 96th Street to 102nd Street, that area.

Q Did you see anyone in that area?

A No, we didn't.

Q Did you see any police vehicles in that area?

A Yes, I did.

Q Do you recall whether you saw marked cars

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or scooters or cars from the Central Park Precinct or other precincts?

A From the Central Park Precinct and from the 23 Precinct.

Q Did you see marked cars or unmarked cars?

A They were marked.

Q And approximately how many cars did you see?

A I'm not really sure. A number of them.

Q You recall where you saw them?

A They were along the drive, the East Drive, and inside the ballfield area.

Q When you were indicating inside the ballfield area, could you please step down for a moment and approach People's 7 in evidence and indicate where it was that you saw the other vehicles?

A Right in this area over here (Indicating).

MS. LEDERER: Indicating the northeast portion of the ballfield and the west side of the East Drive.

Q Where did you go after you responded to the East Drive and 102nd Street?

A We were just searching around this area of

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the park (indicating).

Q When you were indicating the area again of the northeast portion of the ballfield area, were you driving on paths or on the grass or on roads?

A Either on the main road itself or on the footpaths which are paved.

Q Did you hear any other communications while you were canvassing that area?

A Yes, we did.

MS. LEDERER: You may resume your seat.

(Witness complies)

Q What was the next communication that you heard over the radio?

A I believe it was Central Park base stating that they had numerous callers for a large group of 30 or 40 teenagers.

Q Did that report give any reference as to the race of the people that it was describing?

A I believe it was male black and hispanics.

Q When you say Central Park base, what are you referring to?

A The Central Park Precinct has a radio at the base.

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Q When you say Central Park base, are you saying those radio communications came from within the Central Park Precinct?

A Yes.

Q Did that message or radio communication give a location for that group of 30 to 40 male blacks?

A I believe the second message, which was from the base, came about 100 Street and the East Drive.

Q Was there a description of the age of those people?

A I'm unsure.

Q When you were describing the Central Park base, are you familiar with -- withdrawn.

Is there a call box system within Central Park?

A Yes, there is.

Q Would you describe what that system is and how it works?

A It is a cellular phone which is -- they are placed throughout the precinct where people can call up and call directly to the precinct.

Q If someone picks up a call box within

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Central Park, where is that telephone answered?

A At Central Park precinct.

Q What happened with the information -- what are the choices that the Central Park Precinct has with respect to receiving that information?

A They can either put it over the radio themselves or they can call Communications and have the dispatcher put it over also.

Q When you say they can call Communications, is that 911?

A Yes.

Q At about what time was it that you heard the communication regarding the 30 to 40 male blacks -- excuse me, blacks and hispanics?

A About five minutes after the first call.

Q And do you recall approximately what time that would make it?

A 9:35.

Q Where did you go when you heard the call from Central Park base?

A It went a little further southbound to search the area along there.

Q Do you recall exactly -- when you say southbound -- do you recall exactly where you went?

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A Not exactly.

Q All right. Was an area specifically mentioned in that radio communication you heard at 9:35?

A Not that I remember.

Q Approximately how long did you drive in that area in response to that communication?

A Another five or ten minutes.

Q Did you hear any other radio communications while you were doing that?

A There were a number of different radio communications based on the group, a large group.

Q What type of transmissions?

A I think the next one came from, also from Central Park base stating that the large group was 96th Street, on the bridge path.

Q And did you go to that location?

A Yes, we did.

Q Did that communication contain a description of the group?

A Just a large group.

Q Did it contain any mention of the race of the group?

A I'm not sure.

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Q Did it contain any mention of the age of the members of the group?

A I'm not sure.

Q Did it contain any reference to the gender of the group?

A All males.

Q What did you do when you heard that communication?

A We continued further south to canvas that area to see if we could find that group.

Q Where specifically did you go when you went further south?

A I'm not sure. We just traveled along the footpaths.

Q And what general area are you referring to?

A 96th Street and the East Drive.

Q Did you see anything when you went to that location?

A No.

Q Did you hear any other communications?

A The next one I believe was a Central Park scooter who stated that he was informed by a jogger that he was being harassed as he ran along the Reservoir somewhere about the tennis courts.

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Q Approximately what time did that communication come over the air?

A Not too much after the 96th Street call.

Q And was there description, if you recall, regarding the members of the group that had committed that assault?

A A group of hispanics and blacks.

Q Did it give any reference to sex?

A Teenage males.

Q And where did you go in response to that call?

A He headed back further north which is the tennis courts -- well, I should say west. I'm sorry.

We headed over west to the tennis court area where we once again didn't see anything.

Q When you say you didn't see anything, you referring to whether you saw any vehicles or any members of a group or any people resembling a group?

A I mean we didn't see anybody resembling a group.

MR. DILLER: Impossible to hear. He must speak slowly and loudly.

THE COURT: Officer, you have to talk

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1 POWERS - PEOPLE - DIRECT - LEDERER

2 directly into the microphone as close as
3 you can, talk directly into it.
4

5 Q After you were at the location you just
6 described and you didn't see any group of persons
7 resembling the group you were looking at, what, if
8 anything, did you do?

9 A We continued to search in the area of the
10 north meadow thinking that maybe they went further
11 north.

12 Q Approximately how long did you search in
13 that area?

14 A Maybe another five minutes.

15 Q What, if anything, did you do at that
16 point?

17 A We just continued to drive around.

18 Q Did there come a time you exited the park?

19 A I don't believe so, no.

20 Q Did there come a time when you went to
21 100th Street and Central park West?

22 A Yes.

23 Q And approximately how long was it after you
24 heard -- withdrawn.

25 Had you heard any communications prior to
leaving the park?

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A Yes, we did.

Q And what did you hear before you left the park? Before you went to 100th Street and Central Park West, did you hear any radio communications?

A Yes, I did.

Q What did you hear?

A There was a male jogger who was badly bleeding from the head at about 96th Street and the bridle path.

Q Did you receive any information from the person putting that communication over the air?

A Yes, I did.

Q Did you receive any information regarding how that person came to be injured?

A They -- at the time they believed he was either hit with a bat or a stick across the head.

Q Did you receive a description of the person or persons who struck that man?

A It was a description of four or five male blacks, teenagers, heading northbound.

Q Where were you when you heard that communication?

A I'm unsure at this time.

Q What did you do when you heard that

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communication?

A We headed towards that area.

Q When you say that area, where are you referring to?

A 96th Street and the bridle path.

Q And did you go to that location?

A We didn't get all the way down there, no.

Q What happened?

A We decided to go further north because we didn't see anybody in the park. And as we were going down, we knew they had to be further down by then.

Q And what did you do?

A We exited the park at 100th Street and Central Park West.

Q When you say you were heading south and then you decided to head north, where were you when you made the decision to change direction?

A Approximately 97th Street or 98th Street.

Q What did you do at that point?

A We turned the vehicle around and went back up north.

Q And where did you go when you headed north?

A To 100th Street and Central Park West.

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Q At the time that you -- how much time elapsed from the time you heard the call about the jogger with the head injury until you arrived at 100th Street and Central Park West?

A About 15 minutes.

Q And what, if anything, did you see when you got to 100 Street and Central Park West?

A Saw a group of about 15 male black and hispanic teenagers, 15 to 17.

Q Where did you see them?

A 101st Street and Central Park West.

Q What, if anything, did you see that group doing?

A They were just walking along.

Q Which direction were they walking?

A Northbound.

Q Which side of the street were they on?

A West side.

Q When you saw this group, could you describe -- withdrawn.

Q Was the group walking on the sidewalk or on the street?

A On the sidewalk.

Q Can you describe the formation of the group

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that you observed?

A They were just a group of kids walking along.

Q When you say it was a group, was the group spread out or was it densely packed?

A I would say densely packed.

Q Were the people in the group --

MR. RIVERA: Objection to "densely packed," your Honor.

THE COURT: I will allow it.

Q Were you able to see the sex or gender of the persons you saw in that group?

A Yes, I was.

Q What did it appear to you?

A They all appeared to be male.

Q When you looked at the group, were you able to form an impression as to the race of those people?

A Yes, I was.

Q What did you observe them to be?

A Black and hispanic.

Q And were you able to form an impression as to the age of those people?

A Yes, I was.

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Q And what did the age of those people look to you?

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A Approximately 15 to 17 years.

6

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Q What did you do when you noticed them?

8

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A Started heading northbound, and at about 102nd Street, we turned off to the side where they were approximately -- they were approximately at 102nd Street, just a few feet away from 102nd Street.

13

14

15

Q Was there a reason that you turned off at 102nd Street?

16

17

18

A Well, we felt they fit the description, and we were planning on stopping them.

19

20

21

22

Then Officer Flores came up behind us in a scooter, and we thought the group saw the scooter. So we wanted to get over as quickly as possible, before they fled.

23

24

25

MR. RIVERA: Objection.

THE COURT: Just tell us what you were doing, what your thoughts were.

26

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Q Officer Flores -- who was Officer Flores?

A She is a uniformed police officer in Central Park Precinct.

Q Was she working in uniform that night?

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2 A Yes, she was.

3 Q And the scooter that you made reference to,
4 was that a marked police scooter?

5 A Yes, it was.

6 Q Where were you aware of that scooter in
7 relation to your driving as you are driving north on
8 Central Park West?

9 A It was just behind us.

10 Q Could you see the vehicle?

11 A In my mirrors, yes.

12 Q When you could see the scooter in your
13 mirrors, where could you see Officer Flores in
14 relation to your van?

15 A Just right behind us.

16 Q Would you describe the manner in which you
17 pulled the van into 102nd Street?

18 A I made a very sharp turn across the double
19 yellow lines to situation the van right between the
20 two cross walks.

21 Q What, if anything, did you do when you did
22 that or immediately after you did that?

23 A I jumped out of the car and said stop,
24 police; and the group fled.

25 Q You said the group fled, what, if anything,

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3 did you see the people in that group do?

4 A They just had startled looks on their faces
5 and just ran.

6 Q Did everyone in the group run?

7 A No.

8 Q Would you describe who, if anyone, did not
9 run?

10 A Raymond Santana and Lopez.

11 Q Prior to that occasion, did you know
12 Raymond Santana or Steve Lopez?

13 A No.

14 Q And -- withdrawn.

15 When the group ran, were those two people
16 still remaining?

17 A Yes, they were.

18 Q What, if anything, did you do with respect
19 to those two?

20 A We grabbed them and put them up against the
21 wall.

22 Q When you say "we" who are you referring to?

23 A Myself and Officer Reynolds.

24 Q When the van pulled up, who was closer to
25 the group, yourself or Police Officer Reynolds?

A I was.

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Q And what did you do when you jumped out of the van?

A I identified myself as a police officer, and when the group began to flee, I grabbed the first person that I could grab.

Q And who was that?

A I'm not sure which one it was.

Q By the time you did that, where was Officer Reynolds?

A He was coming around the front of the van to catch somebody else.

Q At the time -- at the point at which you grabbed one person and two people were stopped, what, if anything, was said?

A One of the two stated that, "We weren't with the group. We weren't with those guys. We didn't do anything." And the other one said, "Yeah, they were going to jump us."

Q Do you know if it was Raymond SANTANA or Steven Lopez that said those two statements?

A Lopez stated the first one; and I believe Santana stated the second one.

Q Would you describe the demeanor of Steven Lopez at the time that he was stopped there?

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A They were kind of shocked.

MR. BURNS: I'm sorry, I didn't hear that. Shocked?

THE COURT: Shocked.

MR. BURNS: Shocked.

Q And what was the demeanor of Raymond Santana?

A Also shocked and nervous.

MR. RIVERA: Objection, your Honor to the characterization.

THE COURT: Describe what you mean by that. Describe how they appeared physically?

THE WITNESS: Just their eyes were popping out of their heads.

MR. BURNS: Did I miss something?

THE COURT: Eyes popping out of their heads.

MR. BURNS: Eyes popping.

Q How close were Raymond Santana and Steve Lopez when you pulled up and jumped out?

A Closer than you and I.

MS. LEDERER: For the record --

THE COURT: Twelve feet.

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MR. BURNS: Closer than; what does that mean?

THE COURT: Closer than where the District Attorney is and the officer; closer than that.

THE WITNESS: Approximately five feet.

Q You said that those two people were taken and put against the wall. What, if anything, happened next?

A Officer Flores was in pursuit in the three-wheel scooter.

Q Could you describe what you saw Officer Flores going on the scooter?

A She was heading southbound up Central Park West and then turned westbound on 101st Street.

Q What, if anything, did you do at that point?

A I started heading southbound on Central Park West also.

Q Prior to heading south on Central Park West, did you do anything with respect to Raymond Santana and Steve Lopez?

A No, I didn't.

Q Did you handcuff them?

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766

POWERS - PEOPLE - DIRECT - LEDERER

A No.

Q Where did you go?

A Before I got to 101st Street, the group had turned around and they came back east along 101st Street and ran across Central Park West and started jumping over the wall back into Central Park.

Q Approximately how many people from the group did you see running back east on 101st Street?

A I would say about 10 or 11.

Q What, if anything, did you do when you saw them doing that?

A I gave pursuit. I jumped over the wall also.

Q If you would please step down, with the Court's permission, and approach People's 7 in evidence.

Could you indicate where you went over the wall and the route that you took after you exited Central Park again?

A I jumped over the wall approximately between 101st Street and 102nd Street, and the group was jumping over about 101st Street (indicating). And further down and some entered the park without jumping over. There is an entrance at 100 Street.

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POWERS - PEOPLE - DIRECT - LEDERER

767

2

(Indicating)

3

4

Q And where did you go when you entered the park?

5

6

A I ran down into this area, just south of the pool and the group was all -- they were scattered all throughout this area (indicating).

8

9

MS. LEDERER: Indicating the area north of 100 Street and south of the pool.

10

11

Q Would you please describe the course that you took as you continued?

12

13

A As I came over the wall I saw a youth with a red jacket running along the wall as I gave him pursuit. Another unit came up, the other half of my anti-crime unit came up and apprehended him.

14

15

16

17

Q You were indicating on People's 7 in evidence the route that the person in the red jacket took. Could you please indicate that with the pointer and describe what you're referring to?

18

19

20

21

A He was running along the wall and I was running behind. The Anti-Crime unit came up along this route --

22

23

24

Q Indicating came north on the West Drive and turned west on 100th Street?

25

A Right. They jumped out of the vehicle and

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T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

3

also saw him running and apprehended him somewhere
around 100 Street and Central Park West.

4

5

6

7

Q Do you know the name of who that person
turned out to be that was apprehended at that
location?

8

A Lamont McCall.

9

Q Where did you -- well, withdrawn.

10

Did you observe the other half of the Anti-
Crime team apprehend Lamont McCall?

11

12

A Yes I did.

13

Q Where did you go after that?

14

A I noticed another two youths running
eastbound and I gave chase to them also.

15

16

Q And where did you chase those two people?

17

A Across the drive, and they were apprehended
right about here, somewhere. There's a ballfield
over here.

19

20

Q Indicating -- Can you indicate a general
location and describe where it is with respect to
the words, "North Meadow" on that map?

22

23

A Northwest of this right here.

24

Q Of the writing, "North Meadow"?

25

A Yes.

Q During the time you were in Central Park,

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POWERS - PEOPLE - DIRECT - LEDERER

pursuing these people, did you have your radio with you?

A Yes, I did.

Q Were you broadcasting your pursuit?

A Yes, I was.

Q As you ran into the North Meadow by the ballfield, did you catch anyone?

A Yes, I did.

Q Will you describe how it was you came to catch someone?

A There's a rock formation right over here, quite a large rock formation --

Q Indicating again above the word "North" in North Meadow.

A As I was running behind, I was gaining on one of the suspects and I dove on him from behind with a closed fist and came around and caught him -- like kind of punched him in the face, trying to -- you know, get him to the ground.

Q When you indicated what you were doing, you came from behind this person, and you were indicating with your right hand a motion. You had your hand closed?

A Yes, I did.

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POWERS - PEOPLE - DIRECT - LEDERER

Q Would you describe exactly what it was that you did in order to apprehend or tackle that person?

A I was trying to get around his neck, and I missed, and I was a little high and I caught him in the face.

Q What happened as you did that?

A We both went down.

Q And what did you do when you came down with that person that you were chasing, that you grabbed?

A I grabbed him and placed him in handcuffs.

Q You may resume the witness stand.

(Witness complies)

Q As you were doing that, you indicated -- as you were describing how it was how you came to apprehend the person you were pursuing in Central Park, you indicated you were using -- was that your right hand?

A Right hand, yes.

Q And as you were coming behind the person, on what side of the person you were chasing, did your hand come around?

A His right cheek.

Q And is that when you said you connected with him? Did you connect with his right cheek with

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1 POWERS - PEOPLE - DIRECT - LEDERER
2 your right hand?

3 A Yes, I did.

4 Q What was the name of that person?

5 A Kevin Richardson.

6 Q At the time -- as you went through what you
7 just described to catch him, you fell down?

8 A Yes.

9 Q And did you fall also?

10 A Yes, I did.

11 Q What did you do next?

12 A I turned him around near the rock and
13 handcuffed him.

14 Q When you say you turned him around, what do
15 you mean?

16 A FAcE his face towards the rocks.

17 Q Did you have your gun drawn at the time?

18 A No, I didn't.

19 Q And was there anyone else pursuing any one
20 in the area where you were?

21 A Yes, there was. Officer Hennigan was with
22 me and Officer Kozmalski was on the scooter and he
23 kind of corraled the suspect.

24 Q Do you know the name of that person?

25 A That was Clarence Thomas.

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POWERS - PEOPLE - DIRECT - LEDERER

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Q When you say Officer Hennigan was with you,
at what point did Officer Hennigan join you?

4

5

A She was a little bit behind me.

6

Q During the chase of Kevin Richardson?

7

A Yes.

8

Q At the time you caught Kevin Richardson,
was she with you?

9

10

A No, she wasn't.

11

Q What did you do after you handcuffed Kevin
Richardson?

12

13

A I waited for Officer Kozmalski to make sure
he got Clarence Thomas under cuffs -- in cuffs.

14

15

Q And then what did you do?

16

A We called for another unit to come over.

17

Q Did someone respond to you?

18

A Sergeant Carabetta and his operator.

19

Q And where did Sergeant Carabetta appear?

20

A To the North Meadow.

21

Q Did he drive onto the Meadow where you
were?

22

23

A Yes, he did.

24

Q And what, if anything, did you do when
Sergeant Carabetta arrived?

25

A We placed Kevin Richardson and Clarence

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POWERS - PEOPLE - DIRECT - LEDERER

Thomas in the car.

Q And did anyone else get in that car?

A Yes, I did.

Q Was that a marked radio car?

A Yes, it was.

Q After you placed Kevin Richardson and Clarence Thomas in that car, who -- who else was in that car?

A Officer Sullivan and Sergeant Carabetta.

Q And yourself?

A And myself.

Q Will you describe where everyone was seated in the car?

A Myself and Kevin Richardson and Clarence Thomas were all in the backseat.

Q And in what relation were the three of you sitting, one to the other?

A I know I was behind the operator and I don't know how the other two were situated.

Q And Kevin Richardson was handcuffed at the time?

A Yes.

Q Who sat in the front?

A Sergeant Carabetta and Officer Sullivan.

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POWERS - PEOPLE - DIRECT - LEDERER

Q What happened after everyone was in the car?

A Clarence Thomas began to cry and stating "I know who did the murder. I know who did the murder. I know where he lives and I'll tell you his name."

Q Prior to Clarence Thomas saying that, had you asked him any questions?

A No, I didn't.

Q Did he say anything further to you at that time?

A Kevin Richardson also stated that he knew who did it. He said, "Yeah, I know who did it, and I'll tell you also." And then Clarence stated it was Antron McCray. "He lives at

," and the Kevin Richardson stated "Yeah, that's who did it."

Q Did either of them say anything else to you?

A Clarence also stated he knows the pipe that he used. He said he put it at 97th Street and Central Park West, near the projects.

THE COURT: who said that?

THE WITNESS: Clarence Thomas.

Q Were those statements while the vehicle was

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T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

moving or while it was still stationary?

A While we were enroute to 100 Street and Central Park West.

Q What happened when you arrived at 100 Street and Central Park West?

A I informed my sergeant of the statements that the two made.

Q When you say you informed your sergeant, to whom are you referring?

A Sergeant Laile.

Q And where did you inform him of those statements?

A At 100 Street and Central Park West.

Q Were you still in the vehicle at that time?

A No, I had gotten out.

Q Was Kevin Richardson still in the vehicle?

A Yes, he was.

Q And was Clarence Thomas still in the vehicle?

A Yes, he was.

Q Was there a discussion at 100 Street and Central Park West regarding a show-up?

A Yes, there was.

Q Do you recall what was said and who said

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POWERS - PEOPLE - DIRECT - LEDERER

it?

A Sergeant Laile and Sergeant Carabetta and Sergeant Wheeler were together and discussed how they were going to try and get together a show-up with the complainant that was hit in the head at 96th Street.

Q And was it possible to do a show-up?

A No, it wasn't possible.

Q How long did you remain at -- withdrawn.

Did there come a point that you went back to 102nd Street and Central Park West?

A Yes, there was.

Q Approximately how long after you arrived at 100 Street and Central Park West did you go to 102nd Street and Central Park West?

A Approximately ten minutes.

Q What was the reason you went back to 102nd Street and Central Park West?

A My partner, Officer Reynolds was back with the van, which I had the keys, so I had to pick him up and the van.

Q And after you returned to 102nd Street and Central Park West did you return to 100 and Central Park West again?

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T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

A Yes, we did.

Q And approximately how much time went by?

A I really don't know.

Q From the time you first arrived at 100 Street and Central Park West until you left 100 Street and Central Park West to go to the Central Park Precinct, how long were you at that location, at 100 Street and Central Park West?

A Approximately a half-hour.

Q At that point did you return to the Central Park Precinct?

A Yes, we did.

Q How did you get there?

A I drove the van with Officer Reynolds.

Q And do you know how Kevin Richardson got to the Central Park Precinct?

A He went with Officer Sullivan and Sergeant Carabetta.

Q At any time at 100 Street had he been taken out of that car?

A No.

Q Do you know how Raymond Santana and Steve Lopez got to the Central Park Precinct?

A No, I don't.

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T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

Q What happened when you arrived at the Central Park Precinct?

A We brought all five of the people in front of the desk, the Central Park desk.

Q When you say "the desk", is that the desk sergeant at the Central Park Precinct?

A Right.

Q And how long were you before the desk sergeant?

A I was only there for about five minutes.

Q What was the purpose of going before the desk sergeant?

A For everything to be logged for pedigree information.

Q You said that you were only there for approximately five minutes.

What, if anything, did you do after those five minutes?

A I took everybody's phone number and somebody's name. Who they can be reached, so I can contact family members.

Q Where did you go -- withdrawn.

After you took -- did you take that information from each of the five suspects?

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T18-fr

825

1 POWERS - PEOPLE - CROSS - BERMAN

2 A That's right.

3 Q Did you have notes that you wrote them from
4 or you just wrote them entirely from your memory?

5 A Entirely from my memory.

6 Q Was your memory clear about these or was
7 that the best you could reconstruct them three and a
8 half weeks later?

9 A I would say it was pretty clear.

10 Q Is it fair to say that by May 11th that you
11 knew this was a pretty important case?

12 A Yes, it's a very important case.

13 Q Is it also fair to say that according to
14 you all these statements were made before 2:30 in
15 the morning on the morning of April 28th, isn't that
16 right?

17 A That's right.

18 Q And is it fair to say you didn't know
19 anything about a female jogger until at least until
20 after 4 a.m. that morning?

21 A That's right.

22 Q Is it fair to say that when these
23 statements were allegedly made the case was not all
24 that important?

25 MS. LEDERER: Objection.

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T18-fr

826

1 POWERS - PEOPLE - CROSS - BERMAN

2 THE COURT: Objection sustained.

3 Q You testified about either arresting or
4 being present when three youths were arrested in the
5 park that night; correct?

6 A That's correct.

7 Q And two of those then traveled in a car
8 with you for a while?

9 A That's right.

10 Q And I think you testified that they made
11 various statements while in that car?

12 A That's right.

13 Q Again, none of which were in response to
14 questions by you; is that right?

15 A That's right.

16 Q Did any of those, who were in the car with
17 you, any of those youths say anything about Steve
18 Lopez?

19 A Nothing that I wrote down.

20 Q Nothing that you wrote down then or ever;
21 is that right?

22 A That's right.

23 Q And in the entire time you were in the
24 precinct, did any of the youths say anything about
25 Steve Lopez?

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321

1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF NEW YORK : CRIMINAL TERM : PART 59
3 THE PEOPLE OF THE STATE OF NEW YORK

4 -against-

5 RAYMOND SANTANA, KHAREY WISE, YUSAF SALAM,
6 ANTRON McCRAY, KEVIN RICHARDSON, STEVE LOPEZ,
MICHAEL BRISCO,

7 Defendants.

8 October 13, 1989

9 B E F O R E:

10 HONORABLE THOMAS B. GALLIGAN, J.S.C.

11 (Appearances as heretofore noted)

12 * * * * *

13 COURT CLERK: Indictment 4762 of 1989,
14 Kharey Wise, Yusaf Salam, Antron McCray,
15 Kevin Richardson, Steve Lopez, Michael
16 Brisco, and Raymond Santana; continued
17 hearing.

18 (Whereupon, counsel for the defendants
19 gave their appearances.)

20 THE COURT: Are we ready to resume?
21 It is now 10:25. This matter was set down
22 for 10:00. The usual starting time is
23 9:30. I agreed to start at 10:00 for
24 counsel's convenience so they could take
25 care of other matters. I would advise

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NYCLD_023067

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322

COLLOQUY

counsel to be here at the time scheduled,
10:00 in the morning.

Ready to proceed?

MS. LEDERER: Yes, your Honor.

Prior to calling People's next
witness, Officer Reynolds, there is
additional Rosario materials to be turned
over. And I have prepared a packet of the
pages for each attorney: one page of hand-
written notes for Officer Reynolds; one
page, hand-written copy of UF-61, the typed
copy having been turned over; on-line
booking sheet, one copy of which has been
turned over already. (Handing to Defense
Counsel)

MR. MOORE: Your Honor, my only
request is that in the future, the District
Attorney not release documents on an
installment basis, but to do it at one
particular time so that we may maintain the
flow and logic of preparation.

THE COURT: Okay. Who is your next
witness?

MS. LEDERER: Officer Reynolds.

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COLLOQUY

P. O. E R I C R E Y N O L D S, Shield 17510,
Twenty-third Precinct Robbery Unit, New York
City Police Department, called as a witness by
the People, having been first duly sworn,
testified under oath as follows:

COURT OFFICER: In a loud, clear
voice, state your full name for the record,
spelling your last name; your shield
number, and present assignment.

THE WITNESS: Police Officer Eric
Reynolds; R-E-Y-N-O-L-D-S; Shield 17510,
23rd Precinct Robbery Unit.

THE COURT: All right.

DIRECT EXAMINATION

BY MS. LEDERER:

Q Officer Reynolds, on April 19, 1989, where
were you assigned?

A Central Park Anti-Crime Unit.

Q What tour of duty were you working on that
day?

A Four p.m. to midnight.

Q And did you have a particular assignment
within the Central Park Precinct?

A Yes, Anti-Crime duties.

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REYNOLDS - PEOPLE - DIRECT - LEDERER

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Q What are the duties of the Anti-Crime unit?

A That is to make arrests for any kind of crimes in progress while working in civilian clothes.

Q Does that mean you don't work in uniform?

A That's correct.

Q And that night of April 19, 1989, were you working on foot, or were you in a vehicle?

A I was in a vehicle.

Q What type of vehicle were you in?

A It was a green Parks Department vehicle. It was a van.

MR. MADDOX: I can't hear.

THE COURT: Green Parks Department vehicle.

Q Did you work with a partner on that date?

A Yes, I did.

Q Who was your partner?

A Police Officer Powers.

Q Did there come a time on the evening of April 19, 1989 that you heard a radio communication regarding activity in Central Park?

A Yes.

Q At what time did you hear such a

10/13/89

T1-1f

325

1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 communication?

3 A It was approximately 9:30.

4 Q What was the radio communication that you
5 heard at that time?

6 A Disorderly males in the park, harassing
7 people.

8 Q When you heard that communication, was
9 there a communication give for where that this
10 orderly group was?

11 A It was approximately, I believe, the west
12 side of 100th Street.

13 Q Do you recall where you were when you heard
14 that?

15 A I believe I was on Central Park West headed
16 northbound.

17 Q Where did you go after you heard that
18 communication?

19 A The north end of the park.

20 Q Who was driving that night?

21 A Officer Powers.

22 Q When you say you went to the north end of
23 the park, where did you go?

24 A We went to the location specified. We went
25 in that area to canvas.

10/13/89

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P-APP000462

T1-1f

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REYNOLDS - PEOPLE - DIRECT - LEDERER

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Q What area did you go to?

A The East Drive -- West Drive up on the north end, around 102nd Street.

Q Do you recall whether you went to the east side or the west side?

A I started at the west side, and went from the west to the east side.

Q Were you directed to go to the east side?

A Yes, I believe so, yes.

Q When you say you were canvassing the area, what does that mean?

A It means we were searching for people described in the radio run.

Q What route did you take to go to the location of the East Drive on 102nd Street?

A We went north on Central Park West and then into the park.

Q Where did you go into the park?

A I believe it was either 90th Street or 100th Street.

Q And when you entered the park, did you drive on the roadway or any of the paths?

A We did both. We traveled along the roadways, and then we went along some of the paths.

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P-APP000463

T1-1f

327

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 Q Did you arrive at the East Drive in the
3 area of 102nd Street?

4 A Yes.

5 Q What, if anything, did you see at that
6 location?

7 A Really nothing in the beginning.

8 Q Did you see anything resembling the
9 disorderly group?

10 A No.

11 Q Did you see any police vehicles?

12 A Yes.

13 Q Do you recall what you saw?

14 A I saw a couple -- several Central Park
15 Police vehicles and vehicles from the 23rd Precinct,
16 and the Manhattan North Task Force.

17 Q Were those marked radio cars?

18 A Yes.

19 Q Did you have a conversation with any of
20 those people?

21 A I had a couple of conversations, yes.

22 Q At that time when you first arrived, did
23 you speak to any of these people?

24 A We might have had a passing conversation,
25 you know, just asking if anybody had seen anything.

10/13/89

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T1-1f

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REYNOLDS - PEOPLE - DIRECT - LEDERER

MR. MADDOX: Object (inaudible).

THE COURT: Just tell us what conversation you had.

THE WITNESS: I asked if anybody had seen anything.

Q What did the people you spoke to say?

A Nobody had seen anything at that point.

Q The first communication you heard, did that give any kind of description in the park?

A I believe it was seven to eight males, the very first one.

Q Did it give any description, race?

A I believe it was male blacks.

Q Are you sure?

A I'm not quite sure.

MR. MADDOX: Objection, your Honor.

MR. RIVERA: Objection.

THE COURT: I will allow it.

Are you sure?

THE WITNESS: No, I'm not sure.

Q Did you hear any other radio communication after that first communication?

A Yes.

Q What was that communication?

10/13/89

NYCLD_023074

P-APP000465

T1-lf

329

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A That there were approximately, I believe,
3 20 to 30 male blacks harassing and assaulting people
4 in the park.

5 Q And do you recall at approximately what
6 time you heard that radio communication?

7 A Do you mind if I look at my notes to
8 refresh my memory?

9 THE COURT: If you have to, you may.
10 Just tell us what you are using to refresh
11 your recollection.

12 THE WITNESS: It is a piece of paper
13 that I wrote down with the, you know, the
14 times.

15 MR. BERMAN: Judge, if I may, this
16 speaker, even when there's no talking,
17 makes such a loud noise we can't hear your
18 Honor talking.

19 A It was about a quarter to ten.

20 Q And do you recall where you were when you
21 heard that communication?

22 A Well, I was in the north end of the park.
23 It might have been at 102nd Street and the East
24 Drive.

25 Q How long did you stay at 102nd Street and

10/13/89

T1-1f

330

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 the East Drive?

3 A Not long.

4 Q After you received that second
5 communication, where did you go?

6 A Again, we --

7 MR. MOORE: Objection.

8 THE COURT: No, I'll allow it.

9 Go ahead. He was with somebody, he
10 already said that.

11 A (Continuing) We started to ride around the
12 park again to do a further canvas.

13 Q What area of the park were you driving
14 around in?

15 A The north end.

16 Q Would you indicate did you drive on the
17 road or paths? Where did you go?

18 A We did both. We tried to concentrate on
19 the paths because we didn't see anything.

20 THE COURT: You can tell us where,
21 when you say "we" you are talking about
22 driving around in the car; but tell us only
23 what you saw, talking about what you saw
24 unless somebody said something. All right.

25 Q Did you see anything during the time that

10/13/89

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T2-fr

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 you were driving around the north end of
3 the park?

4 A No.

5 Q When you referred to the north end of the
6 park, from what street north were you
7 canvassing?

8 A North of 96th Street.

9 Q Can you describe in a general way what
10 route you took?

11 A In canvassing?

12 Q Yes.

13 A We went through all the foot paths and --
14 you know, all the routes we could to go
15 through all the dark areas, and, you know,
16 part of the park that weren't visible.

17 Q At any time did you see anybody or any
18 group that resembled what you had heard on
19 the radio?

20 A In the beginning, no.

21 Q And did you hear any other radio
22 communications while you were canvassing
23 the north end of the park?

24 A Yes.

25 Q What was the next radio communication that

10/13/89

NYCLD_023077

P-APP000468

T2-fr

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 you heard?

3 A We got -- I heard our sergeant -- my
4 sergeant from Anti-Crime had a possible
5 group over at 100 Street and the West Drive
6 in the playground.

7 Q What is your sergeant's name?

8 A Sergeant Lyle.

9 Q What did you do when you heard that
10 communication?

11 A We responded to the area where he was.

12 Q Approximately what time was it that you
13 arrived at that playground?

14 A That was about a quarter to ten, 10:00.

15 Q Did you have a conversation with Officer
16 Alvarez at that location?

17 A Yes, I did.

18 Q Did he tell you whether he had seen
19 anything in the park?

20 A Yes.

21 Q What, if anything, did Officer Alvarez tell
22 you?

23 A He told me he saw a group of youths and
24 when they saw the radio car, they all ran.

25 Q Did he describe the number of the people in

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 the group?

3 A He said he saw about seven to ten of them.

4 Q Did he indicate that he had seen a larger
5 group?

6 MR. MOORE: Objection.

7 MR. RIVERA: Objection.

8 MR. JOSEPH: Objection.

9 MR. BURNS: Objection.

10 MR. DILLER: Objection.

11 MR. BERMAN: Objection.

12 MR. MADDOX: Objection.

13 THE COURT: Sustained. Let him
14 testify.

15 Q What else did he tell you about the people
16 he saw?

17 A He stated they were male blacks and
18 Hispanics and they were in their teens.

19 Q Did he tell you where he had seen the
20 group?

21 A I believe he said he saw them on the east
22 side.

23 MR. MOORE: Objection.

24 THE COURT: I'll let him answer.

25 Q Was he able to tell you whether it was in

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 or out of the park?

3 A He said it was inside the park.

4 Q Did he tell you what time it was that he
5 had seen them?

6 A That I don't recall.

7 Q Did he say anything about the gender or the
8 sex of the people he had seen?

9 A Yes, he said they were male blacks and
10 Hispanics.

11 Q Did you have a conversation -- withdrawn.

12 How long did you stay at the playground at
13 100 Street?

14 A Not long, just long enough to -- for the
15 show-up and to get a description from Police Officer
16 Alvarez and then we resumed canvassing.

17 Q Where did you go when you left that
18 location?

19 A Again we stayed in the north end and we
20 went through all the trails and the inaccessible
21 parts of the park.

22 Q How long did you drive around in the park?

23 A About another half-hour.

24 Q Did you hear another radio communication
25 after you had been at the playground where Sergeant

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Lyle was?

A Yes.

Q What was the communication that you heard then?

A That there was a male jogger found beaten and bleeding profusely from his head.

Q Where was that -- was there a location with respect to where that jogger was found?

A Yes. That was 96th Street, I believe, approximately, and the West Drive off the reservoir.

Q Where were you when you got that communication, if you recall?

A I believe we were at the East Drive again and 102nd Street.

Q Did the communication given with respect to that jogger contain any information about any people?

A He stated there was a group of male Hispanics and Blacks who had assaulted the jogger.

Q Was there any further information about the assault?

A Yes, that they had fled north.

Q What, if anything, did you do after you heard that information?

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A At that point I decided to leave the park and to start the canvas outside at Central Park West at 100 Street.

Q Where did you leave the park?

A We left at 100th Street and Central Park West.

Q Why did you leave the park at that time?

A Because I felt that the group was no longer in the park. We had canvassed for quite a while and the entire park was saturated with police vehicles.

Q Did you see other vehicles in the park other than those you refer to at the East Drive and 102nd Street?

A Other than what I described earlier?

Q During the time you were canvassing the park, other than what you already told us at the East Drive and 102nd Street, did you see any other police vehicles in the park?

A Just what I mentioned.

Q And when you were canvassing the north end of the park, did you see any sign of other police vehicles?

A Yes.

Q What did you see?

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A As I was going through the fields, I could see further north of me the headlights of the other vehicles going back and forth also in search for the group.

MS. LEDERER: With the permission of the Court, I'd ask the witness to please step down and approach People's 7 in evidence.

(Witness complies)

Q Would you please point on People's 7 in evidence and describe as you do, what area you're possibly pointing to, indicate where you were traveling and where you would see the other lights from other vehicles?

A We saw the other lights --

THE COURT: Excuse me, Officer, I have to remind you to speak as loud as you can because everybody over on this side has to hear you, and it is very difficult in this courtroom.

THE WITNESS: Okay.

I saw headlights from the other police cars going east and west across the ballfields here on the north end. I was

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 south of them and I could see them -- I
3 could see that the ballfields in this area
4 was pretty well saturated with police cars
5 and there was probably no group in there
6 because somebody would have seen --

7 MR. MADDOX: Also describe the area
8 that he just referred to on the map.

9 THE COURT: Yes, if there is some
10 legend on that map that describes the area
11 that you're in, please tell us what it is.
12 I see there is some writing on that map.
13 If you could tell us what it was, the area
14 that you say you were driving in.

15 THE WITNESS: This is the north
16 meadow, and it contains several baseball,
17 softball, and a football field and we
18 again, like I said, I had seen several
19 radio cars going back and forth and they
20 pretty well had the whole area covered. If
21 there was any group in there --

22 MR. BURNS: Objection.

23 MR. MOORE: Objection.

24 THE COURT: Yes, don't speculate, just
25 tell us what you saw.

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 THE WITNESS: I saw the police cars
3 going back and forth and they had the area
4 well covered.

5 Q Where did you go --

6 MR. BURNS: I'm sorry. For the
7 record, the record should reflect the area
8 of the North Meadow.

9 THE COURT: He covered the whole area
10 of the North Meadow.

11 Q When you stated earlier that you decided at
12 this time to leave the park, will you point out the
13 route you took to enter the park?

14 A We left here at 100 Street, going west
15 towards Central Park West.

16 Q What time was it, approximately, when you
17 were leaving Central Park?

18 A It was approximately 10:30.

19 Q What, if anything, did you see as you left
20 Central Park at 100 Street?

21 A Okay. When we got to Central Park West at
22 100th Street, just north of us, between 101st Street
23 and 102nd, on the west side of the street, we saw a
24 group of about 10, 15, male blacks and hispanics.
25 They were teenagers.

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 Q What, if anything, did you do when you saw
3 that group?

4 A What we -- what I did was we started to
5 drive northbound towards them to get a better look
6 at the group.

7 Q What side of the street were they on?

8 A They were on the west side of the street.

9 Q And when you were driving, what side of the
10 street were you driving on?

11 A I was on the east side going northbound.

12 Q What, if anything, happened as you went
13 northbound on Central Park West approaching that
14 group?

15 A Well, we saw the group. They were all --
16 you know, walking together. We felt reasonably sure
17 that they didn't --

18 THE COURT: It's not what you felt.

19 THE WITNESS: I felt reasonably sure
20 they didn't know who we were.

21 MR. RIVERA: Objection.

22 MR. BURNS: Objection.

23 MR. MOORE: Objection.

24 MR. JOSEPH: Objection.

25 MR. MADDOX: Objection.

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MR. DILLER: Objection.

MR. BERMAN: Objection.

THE COURT: I'll allow that. Go ahead.

THE WITNESS: At one point the group had stopped --

MR. RIVERA: I didn't hear the statement he didn't feel reasonably what?

THE COURT: Did not make out who they were.

Q Continue.

A The group at one point stopped and they all started to look our way and started to point at us in the van, and I couldn't understand why because nobody wouldn't really --

MR. MOORE: Objection.

THE COURT: Finish your answer.

THE WITNESS: Nobody generally makes who we were.

MR. MOORE: Objection.

THE COURT: Objection sustained.

Don't tell us what people generally do. Just tell us what happened here.

THE WITNESS: What I did was I looked

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to our right and a marked police three-wheel scooter was on our right hand side and that's what panicked them.

MR. MOORE: Objection.

MR. MADDOX: Objection.

THE COURT: Sustained. Just tell us what you saw.

Q When you looked and saw in your sideview mirror a scooter, where was this scooter?

A Right alongside the van on my side. It was on the other side of us, from the group.

Q Who was on that scooter?

A Police Officer Flores.

Q What did you do when you became aware that Police Officer Flores was pulling up besides you?

A Well, I felt -- it looked like the group was going to run to me.

MR. MOORE: Objection.

MR. JOSEPH: Objection.

THE COURT: I'll allow it, go ahead. Finish.

THE WITNESS: And I told my partner to take the van and pull it up ahead of them to cut them off so we can stop them.

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 Q And did the van pull up?

3 A Yes.

4 Q Where did the van go?

5 A Okay. My partner pulled up the van to
6 102nd Street and CPW, Central Park West on the
7 southwest corner.

8 Q When you say the van was pulled up on the
9 southwest corner of 102nd and Central Park West, can
10 you describe exactly what position it was in in
11 relation to the sidewalk and the street of 102nd
12 Street?

13 A Okay. The van was facing west with the
14 headlights facing west towards the building. Then
15 my partner and myself got out of the van, we
16 identified ourselves. AT that point the group
17 started to run except for two. Those two were
18 Raymond Santana and Steve Lopez.

19 MR. MOORE: Not responsive to the
20 question.

21 THE COURT: I'll allow it.

22 Q When you say you got out of the van -- let
23 me just go back for a second. The van that you were
24 describing, what color is the van?

25 A Green.

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 Q Are there any windows in the back portion
3 of the van?

4 A In the back two doors -- I'm sorry, there
5 are no windows in it.

6 Q Are there any side panels?

7 A I don't believe so.

8 Q Does it have any insignia?

9 A Yes, Parks Department emblem on the front.

10 Q When the van pulled into the beginning of
11 102nd Street and Central Park West, you say you both
12 jumped out. What exactly did you say?

13 A We identified ourselves as police and we
14 told them not to run.

15 Q What happened when you said, "Don't run?"

16 A The group started to run.

17 Q And what did you do when the group started
18 to run?

19 A We got out of the van and we approached the
20 two defendants that had stayed on the corner.

21 Q And you just named the names of those two
22 people. Did you at the time that you stopped them
23 know their names?

24 A Not at that time, no.

25 Q What, if anything, happened when you

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 stopped those two?

3 A We placed them against the wall.

4 MR. MADDOX: Objection, Judge. He
5 didn't stop them. They were already
6 stopped.

7 THE COURT: Yes. Objection sustained.

8 Q What happened when you approached those
9 two?

10 A We placed them against the wall and
11 searched them.

12 Q Did you have your gun drawn when you got
13 out of the van?

14 A No.

15 Q When you say you placed them against the
16 wall, what exactly did you do?

17 A We gave them a pat down of their clothes in
18 case they had weapons on them.

19 Q Did you find any weapons?

20 A No.

21 Q What was the next thing that happened?

22 A My partner, Police Officer Powers and
23 Police Officer Flores chased the group.

24 Q Did the two people that you placed against
25 the wall, Raymond Santana and Steve Lopez, did

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 either of them say anything to you?

3 A Yes.

4 Q What, if anything, did they say to you?

5 A Let's see. Raymond Santana stated he had
6 just come from his girlfriend's house and didn't
7 state where or when.

8 MR. JOSEPH: Objection.

9 THE COURT: Don't tell us what he
10 didn't said. Just tell us what he did say.

11 THE WITNESS: Steven Lopez stated he
12 just came from the movies with his
13 girlfriend and they watched the movie
14 "Leviathan".

15 Q Did either of them say anything about the
16 rest of the group?

17 A They stated they weren't with the group and
18 Steven Lopez stated, I quote, "The group had talked
19 shit about ripping them off."

20 MR. MADDOX: I can't hear.

21 THE COURT: Who said that?

22 THE WITNESS: Steven Lopez.

23 THE COURT: Stated what?

24 THE WITNESS: They were not with the
25 group and the group had talked -- I quote,

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 "Talked shit about ripping them off."

3 Q When I asked you a moment ago did either of
4 those two people say anything with respect to the
5 rest of the group I believe your answer began, "They
6 said," could you tell us exactly what either one of
7 them said indicating by name what that person said?

8 MR. MOORE: Objection. Asked and
9 answered.

10 THE COURT: I'll allow it again.

11 THE WITNESS: They both stated that
12 they weren't with the group and they didn't
13 know any of the others that had run. They
14 stated that they were walking ahead of them
15 and --

16 MR. RIVERA: Objection, your Honor,
17 not responsive.

18 THE COURT: Yes, objection sustained.

19 Q Can you tell us what Raymond Santana said
20 to you when he was stopped at 102nd Street and
21 Central Park West?

22 A Raymond Santana said he wasn't with the
23 group and he had just come from his girlfriend's
24 house.

25 Q What, if anything, did Steven Lopez say at

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 that time?

3 A He stated he also was not with the group,
4 that he had just come from his -- he had just come
5 from the movies with his girlfriend and they watched
6 the picture "Leviathan" and he also stated, and I
7 quote, "Talked shit about ripping off -- ripping
8 them off."

9 Q Did you ask either Defendant Lopez or
10 Defendant Santana any questions?

11 A No.

12 Q When you saw this group, could you describe
13 how the group was in relation to the other members
14 of the group?

15 A The two --

16 MR. BERMAN: Object as to form.

17 THE COURT: What is your question?

18 Q When you saw the group walking on Central
19 Park West, would you describe the relation of the
20 group with one to the other?

21 A It was a homogenized group. They were
22 altogether and they were all walking northbound.
23 They were male Blacks, teenaged and Hispanics.

24 Q When you saw the group on the west side of
25 the street, approximately how much of the block was

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 taken up by the members of the group?

3 A Maybe a quarter of the block.

4 Q And where were Defendant's Lopez and
5 Santana, if you remember, in relation to the others
6 in the group?

7 A They were in the group because the group
8 was altogether.

9 Q What, if anything, happened after Lopez and
10 Santana made those statements to you?

11 A My partner, Police Officer Powers chased
12 the rest of the group with Police Officer Flores.

13 Q Where did you see him go?

14 A I saw him running southbound on Central
15 Park West and then west on 101st Street.

16 Q Did you see where he went when he turned
17 onto that street?

18 A When he turned west, I lost sight of him?

19 Q Officer Reynolds -- I'm sorry --

20 A And then I saw him again running back east
21 and the group was ahead of him and they ran into the
22 park, and he ran into the park after them.

23 Q Approximately how much time elapsed between
24 the time you saw him disappear from your sight going
25 down the street until you saw the group coming back

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 with him, chasing?

3 A Just seconds.

4 Q Did you then see Officer Powers -- go into
5 the park?

6 A Yes, I saw him run and jump over the wall
7 into the park after the defendants.

8 MR. MADDOX: Objection to "after the
9 defendants."

10 THE COURT: Yes, Objection sustained
11 as to "after the defendants."

12 Q Did you see how many people were running in
13 front of Officer Powers?

14 A It looked to be about ten.

15 Q And you said that they entered the park, do
16 you know where it was that they entered the park?

17 A It was over the wall and at Central Park
18 West and 101st Street, between 101st and 100.

19 Q And is that where you saw Officer Powers
20 enter the park?

21 A Yes.

22 Q Let me just stop you for a moment. The
23 area on Central Park West, near 101st and 102nd, to
24 your knowledge are there any movie theaters in that
25 area?

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A No, there isn't.

3 Q Are there any community centers in that
4 area?

5 A No.

6 MR. MADDOX: Judge, may I ask if he
7 could repeat the question and answer?

8 THE COURT: Read the question and
9 answer back, please.

10 (Reporter complies)

11 Q Are there any stores on Central Park West
12 in that area?

13 A No. There's just a grocery store further
14 down, but it's very small north of where they were.

15 Q After you lost sight of Officer Powers when
16 he went into the park, what was the next thing that
17 happened?

18 A I stood on the corner with Raymond Santana
19 and Steven Lopez.

20 Q Did you handcuff them?

21 A No.

22 Q And where was the van?

23 A The van was right where we left it on 102nd
24 Street and Central Park West.

25 Q Did either of them say anything further to

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1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 you?

3 A They just kept stating that they were not
4 with the rest of them.

5 Q When you say they kept saying that, who
6 kept saying that?

7 A Steve Lopez and Raymond Santana.

8 Q And did you ask them any questions?

9 A No.

10 Q Did you have your radio with you?

11 A Yes, I did.

12 Q Did you hear communications coming over the
13 radio?

14 A Yes.

15 Q Did there come a time when someone came to
16 where you were with Santana and Lopez?

17 A Yes.

18 Q Approximately what time was that?

19 THE WITNESS: May I look at my notes
20 to refresh my memory?

21 THE COURT: If you have to.

22 (Witness peruses notes)

23 A It was approximately a quarter to eleven.

24 THE COURT: And what happened at about
25 a quarter to eleven?

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REYNOLDS - PEOPLE - DIRECT - LEDERER

THE WITNESS: Sergeant Wheeler and Police Officer Morales pulled over after the call over the radio for a unit to pick up the two.

Q What happened when they responded?

A They responded over and we placed them into the car.

Q Placed whom in the car?

A Steven Lopez and Raymond Santana.

Q And what did you do at that point?

A I went with Police Officer Powers into the van, and we drove back to 100 Street and Central Park West to confer with our sergeant.

Q When Raymond Santana and Steve Lopez were put in the car with the sergeant, did you see where they went?

A They went to 100 Street and Central Park West.

Q And when you arrived at 100 Street and Central Park West, were Raymond Santana and Steve Lopez there?

A Yes.

Q Were they in the car or outside of the car?

A They were in the car.

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REYNOLDS - PEOPLE - DIRECT - LEDERER

Q And at what corner of that intersection were you at?

A The northeast corner.

Q When you arrived at that location, who did you arrive with?

A Police Officer Powers.

Q And who was already at that location?

A Sergeant Lyle and Police Officer Hennigan and the other officers.

Q And did you see anybody in custody other than Raymond Santana and Steve Lopez?

A Yes.

Q Who did you see at that time?

A I saw Kevin Richardson, Lamont McCall and Clarence Thomas.

Q Where did you see them?

A In the back of the radio car.

Q Were all three in the same radio car?

A I believe so. I'm not sure.

Q Was there a discussion at 100 Street and Central Park West?

A Yes, there was.

Q And what was the nature of the conversation had there?

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REYNOLDS - PEOPLE - DIRECT - LEDERER

A I discussed with our sergeant -- I was told that three of the defendants had made statements.

MR. MOORE: Objection.

THE COURT: I will allow it.

A I was told three defendants had made statements placing themselves at the attack of Mr. Loughlin at 96th Street.

Q Who told you that?

A I was told that by Police Officer Powers and Sergeant Lyle.

Q And at that time was there a discussion at 100 Street and Central Park West?

A Yes.

Q Was there a discussion about doing a show-up?

A Yes.

Q And was a show-up conducted with John Loughlin at that time?

A No.

Q How long did you stay at 100 Street and Central Park West?

A I'd say about ten minutes; ten, fifteen minutes.

Q During that time were you out of the van or

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REYNOLDS - PEOPLE - CROSS - BERMAN

comfortably on the floor of the precinct than at home?

MS. LEDERER: Objection.

THE COURT: Sustained.

Q Now, you told us on direct that about four in the morning, Lieutenant McInerney told you a woman's body had been discovered in the park?

A I believe that's the approximate time.

MR. BURNS: I didn't hear that question and answer.

THE COURT: Read it back.

(The court reporter read back the requested portion of the record.)

Q And Lieutenant McInerney told you to keep the kids for questioning about that, didn't he?

A He stated that the detectives wanted to speak to them.

Q And you understood that to mean to keep the kids for questioning about that woman, right?

A That's correct.

Q Now, you have told us by what time was it that Santana's grandmother arrived approximately?

A Let's see. It was after four.

Q But by 4:30 she was there, right?

Linda Fairstein

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1 at two precincts. 15:45:53

2 Q. Others were concerned about what 15:45:56

3 else? 15:45:59

4 A. Other officers I didn't know who 15:45:59

5 were in a similar position, who were not 15:46:06

6 being interviewed and expressed to my 15:46:09

7 former colleagues that they had 15:46:14

8 information they wanted to give to her, 15:46:17

9 her being Ms. Ryan. 15:46:20

10 Q. Do you know what officers 15:46:22

11 communicated with your former colleagues 15:46:24

12 to express that opinion or those opinions? 15:46:26

13 A. As I sit here today, I don't 15:46:29

14 know. I knew in 19 -- I'm sorry, I knew 15:46:31

15 some of the names in 2002. 15:46:36

16 Q. Did you take notes when you were 15:46:38

17 having these conversations with people in 15:46:40

18 the District Attorney's office who were 15:46:42

19 expressing their concern? 15:46:43

20 A. Not that I can think of. 15:46:46

21 Q. I guess we can go to April 20th 15:46:49

22 now for awhile. Fiston called you what 15:47:15

23 time in the morning? 15:47:22

24 A. As I recall, between 8:30 and 15:47:24

25 nine o'clock in the morning. 15:47:27

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Linda Fairstein

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1	Q.	At that time, did you know	15:47:29
2		anything about the events in Central Park	15:47:32
3		on April 19th?	15:47:35
4	A.	I don't believe that I did.	15:47:36
5	Q.	You saw nothing on television,	15:47:38
6		you heard nothing from other sources?	15:47:41
7	A.	I didn't see anything on	15:47:44
8		television the night of the 19th. I may	15:47:46
9		have heard a news, radio news report in	15:47:50
10		the morning, not about a rape, but about a	15:47:53
11		riot.	15:47:58
12	Q.	Do you know why Fiston called?	15:47:59
13	A.	Yes, I do.	15:48:05
14	Q.	Why?	15:48:06
15	A.	He called me shortly before nine	15:48:07
16		to tell me that a woman had been found	15:48:10
17		beaten, and presumably because of her	15:48:22
18		state of undress, sexually assaulted in	15:48:24
19		the ravine, and he had been called in	15:48:28
20		because there had been no sexual assault	15:48:34
21		allegation until that woman reached the	15:48:38
22		hospital.	15:48:40
23	Q.	What else did he tell you?	15:48:41
24	A.	He told me that the woman was as	15:48:47
25		yet unidentified, and he asked me in the	15:48:52

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1 usual course of prosecutorial business if 15:48:57
2 I would assign a prosecutor to work on the 15:49:00
3 prosecutorial events that might happen 15:49:06
4 later in the day because there were 15:49:14
5 already were suspects being questioned. 15:49:16
6 Q. Did you make any notes about 15:49:22
7 this conversation? 15:49:24
8 A. No. 15:49:25
9 Q. Did you create any memorandum 15:49:25
10 afterwards about this conversation? 15:49:29
11 A. Not that I recall. 15:49:30
12 Q. Did he tell you anything else? 15:49:31
13 A. At that time, only that we 15:49:35
14 discussed that I would get back to him 15:49:39
15 with the name and number of the Assistant 15:49:41
16 DA, and that I would tell the District 15:49:44
17 Attorney. 15:49:46
18 Q. Did you understand that Fiston 15:49:46
19 was calling you in line with the 15:49:48
20 arrangement that you and Morgenthau had 15:49:50
21 made, that whenever there was a rape in 15:49:53
22 New York City, you should be contacted? 15:49:55
23 A. Not exactly. 15:49:57
24 Q. Why do you say that? 15:49:58
25 A. Because it was not just a call 15:50:00

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P-APP000496

Linda Fairstein

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1 to give me information. It was a call in 15:50:04
2 which he was asking for the help that we 15:50:07
3 provide in the instant moment. 15:50:12

4 Q. Fiston was calling you, right, 15:50:14
5 right? 15:50:17

6 A. Fiston did call me. 15:50:17

7 Q. Right? 15:50:19

8 A. Yes, sir. 15:50:21

9 Q. And the reason Fiston called you 15:50:21
10 about a rape was the arrangement you and 15:50:24
11 Morgenthau had made with Fiston that you 15:50:27
12 should be called about every rape; is that 15:50:29
13 correct? 15:50:32

14 MS. DAITZ: Objection. 15:50:32

15 A. No, sir. 15:50:32

16 Q. Why is that not correct? 15:50:33

17 MS. DAITZ: Let her answer the 15:50:35
18 question this time. 15:50:37

19 Q. Why is that not correct? 15:50:37

20 A. Because the practice that 15:50:39
21 Morgenthau and I had requested to have 15:50:41
22 with Mr. Fiston and other officers was for 15:50:45
23 the information of a case. 15:50:49

24 So if a rape had happened on 15:50:50
25 4/15 on East 30th Street and it wasn't 15:50:51

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1 solved, we'd know and have it under our 15:50:55
2 roof as well. 15:51:00

3 On this morning when he called 15:51:01
4 me, he was calling to ask me to assign a 15:51:03
5 prosecutor now for the purpose, as we ride 15:51:06
6 homicides and sex crimes as the expression 15:51:13
7 is called, to have a prosecutor to be 15:51:15
8 available to him within hours to help with 15:51:19
9 the prosecutorial steps that would be 15:51:21
10 taken at the station house. 15:51:24

11 Q. So it's your answer that the 15:51:26
12 call that Fiston made to you had no 15:51:29
13 connection with the arrangements that you 15:51:32
14 and Morgenthau had made with Fiston to 15:51:33
15 call and advise you about a rape, whether 15:51:37
16 or not a person had been arrested? 15:51:39

17 MS. DAITZ: Objection. You can 15:51:41
18 answer. 15:51:43

19 A. Those are not my words, sir. I 15:51:43
20 didn't say they had no connection. I said 15:51:46
21 this was for a much more urgent purpose. 15:51:48
22 It might also have served that use, hello, 15:51:51
23 this is the event that happened this 15:51:55
24 morning. 15:51:57

25 On top of that, there was a much 15:51:58

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P-APP000498

Linda Fairstein

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1 more urgent need. He wanted a prosecutor 15:52:00
2 assigned, that was the main purpose of the 15:52:04
3 call. 15:52:06

4 Q. Did he tell you that it appeared 15:52:06
5 that a homicide was involved? 15:52:08

6 A. No, he didn't tell me that. He 15:52:09
7 told me that the victim was in very grave 15:52:12
8 condition. 15:52:18

9 Q. The question I think I forgot to 15:52:19
10 ask you earlier when you spoke of one 15:52:21
11 person who had knowledge about the 15:52:23
12 investigation from Ryan, who was that? 15:52:26

13 A. Lisa Friel. 15:52:30

14 Q. Did you know what she had 15:52:31
15 learned from Ryan and how she knew about 15:52:36
16 it? 15:52:38

17 A. I knew some of the things she 15:52:39
18 learned from Ryan. 15:52:42

19 Q. What did you learn from Friel? 15:52:43

20 A. I knew from Friel the point at 15:52:45
21 which Ryan no longer wanted Mooney 15:52:55
22 involved in the investigation. 15:52:59

23 I knew from Friel that she, that 15:53:00
24 on a day, I came to know from Friel that 15:53:03
25 on a date that Ryan arranged with Mooney 15:53:08

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P-APP000499

T4-fr

390

REYNOLDS - PEOPLE - DIRECT - LEDERER

Q At the conclusion of the interview of Lamont McCall, what, if anything, happened?

A At that point he was given an appearance ticket for Family Court.

Q When you say he was given an appearance ticket, who gave him that ticket?

A I did.

Q Did that appearance ticket have a return date?

A Yes.

Q What happened with Lamont McCall at that time?

A He was released to his mother, and given the appearance ticket.

Q Were you present at another interview at that time?

A Yes, I was.

Q Where was that interview conducted?

A That was in the Juvenile room.

Q And is that the lower rectangular room to the bottom of that building on the diagram, People's 1?

A Yes, it is.

Q Who was interviewed second?

10/13/89

NYCLD_023136

P-APP000500

T4-fr

391

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A Clarence Thomas.

3 Q And who was present during the interview of
4 Thomas?

5 A His mother.

6 Q Did you conduct that interview?

7 A No.

8 Q If you know, who conducted that interview?

9 A I believe that was Detective Whelpley.

10 Q Would you please name everyone who was in
11 the Juvenile Room at the time that interview was
12 conducted?

13 A Detective Farrell, Detective Whelpley,
14 Clarence Thomas, his mother, and myself.

15 Q And approximately how long was that
16 interview?

17 A It was approximately an hour, an hour and a
18 half.

19 Q During the time that -- in substance, what
20 did Clarence Thomas say to you?

21 A He stated that they -- the group came into
22 the park at 110th Street and they had no specific
23 plans for that evening, and they started to assault
24 -- they assaulted, I believe, a bum, and then later
25 on went up to the reservoir and assaulted a jogger

10/13/89

NYCLD_023137

P-APP000501

T4-fr

392

1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 up there with a pipe.

3 Q And did he identify any of the people who
4 were with him that night in Central Park?

5 A Yes, he did.

6 Q Who did he name?

7 A I'll have to look at my notes to refresh my
8 memory on that. He named Antron McCray and Lamont
9 McCall.

10 Q Did he give any information about Antron
11 McCray?

12 A Yes, he did.

13 Q What, if any, information did he tell you
14 about Antron McCray?

15 A I believe he stated that he had assaulted
16 the jogger.

17 Q Did he give you any information about a
18 description of who Antron McCray was?

19 A He described him as a male black, 14, 15
20 years old, I believe.

21 Q Did he tell you anything about where Antron
22 McCray lived?

23 A He stated he lives on

24 Q What, if anything, happened at the
25 conclusion of the interview of Clarence Thomas?

10/13/89

NYCLD_023138

P-APP000502

T4-fr

393

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A He was released to his mother.

3 Q Was he given anything prior to his release?

4 A He was given an appearance ticket for
5 Family Court.

6 Q And was there a date on that ticket?

7 A Yes, there was.

8 Q And was that the same date that had been on
9 the ticket of Lamont McCall?

10 A Yes.

11 Q What, if anything, did you do after being
12 present for the interview of Clarence Thomas?

13 A After that we went -- later on that
14 afternoon we went back to his house.

15 Q When you say later on that afternoon, what
16 time was it when you --

17 A It was about 11:30.

18 Q Is that in the morning or the evening?

19 A In the morning.

20 Q On what date?

21 A On the 20th of April.

22 Q Who did you go with?

23 A Detective Whelpley and Farrell.

24 Q And where did you go?

25 A We went to his house.

10/13/89

NYCLD_023139

P-APP000503

T16-fr

777

POWERS - PEOPLE - DIRECT - LEDERER

A Yes, we did.

Q And approximately how much time went by?

A I really don't know.

Q From the time you first arrived at 100 Street and Central Park West until you left 100 Street and Central Park West to go to the Central Park Precinct, how long were you at that location, at 100 Street and Central Park West?

A Approximately a half-hour.

Q At that point did you return to the Central Park Precinct?

A Yes, we did.

Q How did you get there?

A I drove the van with Officer Reynolds.

Q And do you know how Kevin Richardson got to the Central Park Precinct?

A He went with Officer Sullivan and Sergeant Carabetta.

Q At any time at 100 Street had he been taken out of that car?

A No.

Q Do you know how Raymond Santana and Steve Lopez got to the Central Park Precinct?

A No, I don't.

10/16/89

NYCLD_024498

P-APP000504

T16-fr

778

POWERS - PEOPLE - DIRECT - LEDERER

Q What happened when you arrived at the Central Park Precinct?

A We brought all five of the people in front of the desk, the Central Park desk.

Q When you say "the desk", is that the desk sergeant at the Central Park Precinct?

A Right.

Q And how long were you before the desk sergeant?

A I was only there for about five minutes.

Q What was the purpose of going before the desk sergeant?

A For everything to be logged for pedigree information.

Q You said that you were only there for approximately five minutes.

What, if anything, did you do after those five minutes?

A I took everybody's phone number and somebody's name. Who they can be reached, so I can contact family members.

Q Where did you go -- withdrawn.

After you took -- did you take that information from each of the five suspects?

10/16/89

NYCLD_024499

P-APP000505

T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

A Yes, I did.

Q Where did you go after you had taken that information from each of them?

A I went into the Anti-Crime office inside the Central Park Precinct and made phonecalls.

Q The Anti-Crime office, which building is that in?

A It's inside the precinct.

Q When you say, "It's inside the precinct," is that a different building from the Community Affairs office?

A Yes.

Q Is that the same building as the desk sergeant is?

A Yes, the Anti-Crime office and the Desk is in the same building.

Q Do you recall who you called first?

A No, I don't.

Q Did you call someone for Kevin Richardson?

A Yes, I did.

Q Did you reach someone when you called?

A Yes.

Q Do you recall who you spoke to?

A I believe it was his mother.

10/16/89

NYCLD_024500

P-APP000506

T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

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Q And what, if anything, did you say to her when you reached her?

4

5

A I explained that her son was arrested. The reason why he was arrested.

6

7

Q What did you tell her for what he was arrested?

8

9

A He was involved in an assault.

10

Q Did you tell her who you were?

11

A Yes, I did.

12

Q And what else did you say to her?

13

14

A I gave her the location of the precinct and directions how to get here, how to get there, I should say, and a phone number in case she got lost.

15

16

Q Did you call someone for Steven Lopez?

17

A Yes.

18

19

Q And do you recall who you spoke to when you called that number?

20

A No, I don't.

21

22

Q Did you in fact reach someone at that number that he had given you?

23

A Yes, I did.

24

25

Q Did you have a conversation with that person?

A Yes, I did.

10/16/89

T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

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Q Do you recall that was a parent or a guardian or a cousin?

4

5

A No, I don't.

6

7

Q What was the substance of what you said to the person?

8

A Basically the same as for Richardson.

9

10

I informed him that his son was under arrest. I gave him the location of the Central Park Precinct and a phone number in case he got lost and my name. He can call me in case he got lost.

12

13

Q When you said "He could call you," did you reach a man or a woman?

14

15

A I'm not sure.

16

17

Q And with respect to Raymond Santana, did you make a phone call with respect to Raymond Santana's family?

18

19

A Yes, I did.

20

21

Q Do you recall who you spoke to?

A I spoke to his father.

22

23

Q Tell us, please, what you told his father?

24

25

A I explained to his father that he was under arrest, the reason why, and that he was in the Central Park Precinct. I gave him the location and a phone number in case he got lost.

10/16/89

T16-fr

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782

POWERS - PEOPLE - DIRECT - LEDERER

Q What, if anything, did he say when he gave you that information?

A He said he would be right down. He just needed a few minutes.

Q Did you also make phonecalls for Clarence Thomas and Lamont McCall?

A Yes.

Q And did you also reach parents?

A Yes, I did.

Q What, if anything, did you do when you completed calling the parents or families of the suspects?

A I went to the Juvenile Room and assisted my partner with paperwork.

Q Approximately how long did it take you to make all of those phone calls?

A I'm not sure.

Q Approximately?

A Approximately a half-hour, maybe less. Twenty minutes.

Q When you went into the room that you described as the Juvenile Room -- do we have that, People's 1?

I ask you, if you could --

10/16/89

T16-fr

783

POWERS - PEOPLE - DIRECT - LEDERER

THE COURT: Just wait a minute.

Q If you would look at what's been received as People's 1 in evidence.

Would you step down for a moment, please, and indicate where the juvenile room is?

(Witness complies)

A We use this as the juvenile room. This is the juvenile room right over here.

Q And when you went into that room -- well, withdrawn.

After you finished making the phone calls, where did you go?

A Into this room right here.

Q And was anyone in that room when you entered it?

A Yes, there was.

Q Who was already there?

A The five suspects and Officer Reynolds.

Q Would you describe, if you could, where did you see the five suspects within the juvenile room?

A Lamont was sitting over there.

Q Indicating by the first window on the right side of the juvenile room?

A Kevin Richardson was sitting over there.

10/16/89

NYCLD_024504

P-APP000510

T16-fr

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784

POWERS - PEOPLE - DIRECT - LEDERER

2

Q Indicating between the --

3

A The two desks.

4

Q The desk at the upper portion and the lowest desk in that room.

5

A Clarence Thomas was sitting over here.

6

Q Indicating the far right bottom corner.

7

A And Santana and Lopez were sitting over here.

8

Q Indicating the wall, middle of the wall in the bottom of the room on the diagram.

9

What, if anything, did you do when you came into that room?

10

A I sat down on this desk here and assisted Officer Reynolds with the paperwork.

11

Q Indicating a desk on the left side of the room, closest to the door.

12

When you say you assisted in doing paperwork, what, if anything, did you do with the paperwork?

13

A I basically took pedigree information from each of the suspects.

14

Q When you say "Pedigree information," what types of questions did you ask to get pedigree information? What is pedigree information?

15

16

17

18

19

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10/16/89

T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

A Name, date of birth, age, height, weight, mother's maiden name, phone numbers --

Q You recall approximately what time it was that you came to that room after finishing the phone calls?

A Approximately 11:30.

Q And while you were in the room doing the -- asking the pedigree questions and beginning to fill out the paperwork, did there come a time where you heard any of suspects in the room make a statement?

A Yes, I did.

Q And could you tell us who was it, who made a statement?

You may resume your seat.

(Witness complies)

MR. BERMAN: Judge, may the record indicate he's referring to some notes now.

THE COURT: Yes.

THE WITNESS: I made a statement to the group stating, "You guys shouldn't be out here beating up on people. You should be out with your girlfriend," and Raymond Santana looked at Steven Lopez with a smile and stated, "I already got mines," and they

10/16/89

NYCLD_024506

P-APP000512

T16-fr

786

1 POWERS - PEOPLE - DIRECT - LEDERER

2 both began to laugh.

3 Q Approximately what time was it, if you
4 recall, that was said?

5 A Approximately 23:40.

6 Q 23:40 is what time?

7 A 11:40.

8 THE COURT: Santana said that to who?

9 THE WITNESS: To Steven Lopez.

10 Q Sometime after -- withdrawn.

11 Did there come a time that evening or that
12 night that you saw Antron McCray at the precinct?

13 A Yes, I did.

14 Q Would you please describe how it came about
15 that Antron McCray came to the Central Park Precinct
16 on that night?

17 A Antron McCray showed up with Clarence
18 Thomas' mother, and Antron's mother also.

19 Q Let me just back up for a moment. When you
20 called Clarence Thomas' parents, were you able to
21 call his family directly?

22 A No, I wasn't. He gave me a number -- a
23 phone number of a friend who lived next door.

24 Q Did you have a conversation with that
25 friend?

10/16/89

NYCLD_024507

P-APP000513

T16-fr

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POWERS - PEOPLE - DIRECT - LEDERER

2

A Yes, I did.

3

4

Q What, if anything, did the friend say to you when you called for Clarence Thomas?

5

6

A She told me that Clarence's mother was out looking for Clarence, he had not come home yet and she was worried about him.

7

8

Q Did you ask her -- what did you tell her?

9

10

11

12

13

14

15

A I explained the situation to her, that Clarence was under arrest and at the Central Park precinct, and if she could contact Clarence's mother and for Clarence's mother to give a call at the Central Park Precinct, or come to the precinct herself.

16

17

Q And did there come a time when Clarence's mother did come to the precinct?

18

19

A Yes, she did.

20

21

Q Approximately what time was that?

22

A Approximately 12:00.

23

24

Q Did she come alone or with someone?

25

A She came with Antron McCray's mother and Antron McCray.

26

27

Q Where was it that you first became aware of Clarence Thomas' mother's presence?

28

A Well, they opened up the door -- as you can

10/16/89

T16-fr

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788

POWERS - PEOPLE - DIRECT - LEDERER

2

see there's an office next to the juvenile room,
3 adjoining the juvenile room?

4

5

Q Are you referring to the clerical office
and there's a door between that and the juvenile
6 room?

7

8

A Yes, that's right.

9

10

Q What were you about to say?

11

12

A We opened the door to show Mrs. Thomas her
son, to see if she would like to ask him if he was
okay and with that and Tom McCray came walking into
the juvenile room.

13

14

Q And did he speak to you or did you speak to
him?

15

16

A I asked who he was.

17

18

Q And what, if anything, did he say?

19

20

A He said his name is Antron McCray.

21

22

Q At the time that you saw him in the
precinct, did you also see his mother at the time?

23

24

A Yes, I did.

25

26

Q How was it that you saw her?

27

28

A She was right next to him.

29

30

Q Was she in the clerical room or the
juvenile room?

31

A She was in the juvenile room.

10/16/89

T17-1f

789

POWERS - PEOPLE - DIRECT - LEDERER

Q If you can, for the moment, step down, please, and show us where Clarence Thomas' mother was, where Antron McCray was, and where Antron McCray's mother was.

(Witness complies)

A Clarence Thomas' mother stood in the doorway. Antron McCray's mother came in a little bit further, and Antron walked over to see if Clarence was okay. (Indicating).

Q Would you indicate, as best you can, where Antron McCray was when he entered and walked into the juvenile room?

A He walked in here and walked over this way, and Clarence was sitting over here (indicating). He wanted to see if Clarence was okay.

Q Did you have a conversation with Antron McCray at that point?

A Yes, I did.

Q What, if anything, did you say to him, and what, if anything, did he say to you?

A First, I asked him his name. He said Antron McCray. I said, "Were you with these guys tonight," with his mother present, and he said, "Yes, I was, but I ran when you guys started chasing

10/16/89

NYCLD_024510

P-APP000516

T17-1f

790

1 POWERS - PEOPLE - DIRECT - LEDERER

2 us."

3 Q Did you say anything further to him?

4 A Yes. I asked him to look me in the eye and
5 tell me the truth. And I said, "Did you hit anybody
6 tonight," and he wouldn't look me in the eye. He
7 looked away and said, "No."

8 MR. JOSEPH: Objection, Judge.

9 THE COURT: I will allow it.

10 Q Where was his mother standing when you had
11 that conversation with him?

12 A Right next to him. He walked this way and
13 his mother was standing next to him, (indicating).

14 Q Did he say anything further at that point?

15 A No, he didn't.

16 Q Did his mother say anything further at that
17 point?

18 A No.

19 Q What, if anything, did you do after the
20 conversation with him?

21 A I left the room and conferred with my
22 sergeant.

23 Q What, if anything, did you say to your
24 sergeant?

25 A I explained to my sergeant that Clarence

10/16/89

T17-1f

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POWERS - PEOPLE - DIRECT - LEDERER

Thomas and Kevin Richardson both stated that Antron McCray did the murder, and I wanted to see if we could lock up Antron McCray and arrest him also.

Q What, if anything, did your sergeant say?

A He said we didn't catch him at the scene, and the evidence was just -- it wasn't enough to lock them up at that point.

Q Did you then return to the juvenile room?

A Yes, I did.

Q Was Antron McCray still there?

A He was back in the clerical office.

Q And where was his mother?

A With him.

Q And where was Mrs. Thomas?

A She was also in the clerical room.

Q Did you arrest Antron McCray that night?

A No, I didn't.

MS. LEDERER: You may resume your seat.

(Witness complies)

Q Did there come a time after you made the phonecalls to the parents of the suspects, that you became aware of any parents arriving at the precinct?

10/16/89


NYCLD_024512

P-APP000518

COMPLAINT - INFORMATION
PD 312 (Rev. 11-81)

Date of Report: 4/20/89
Complainant's Name: L.S.
P.S.N.:
Last Name, First:
Home Telephone:

Location of Perpetrator:
Wanted: ☐ Yes ☐ No
Sex: ☐ Male ☐ Female
Race: ☐ White ☐ Black ☐ Hispanic
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 COMPLAINT FOLLOW-UP INFORMATIONAL FD-302 (Rev. 12-13-88) (1-800-84)	Page 2	000873	Page 1
	No. 022 Subsequent No. 281 Date of this report 4/20/89		

DETAILS:

CONTINUED FROM PAGE ONE RE: ASSAULT OF UNIDENTIFIED FEMALE WHITE
 INSIDE CENTRAL PARK: INTERVIEW OF CLARENCE THOMAS

Cont; Clarence does not know what happened to the other three guys who chased the male white and states that they were guys he did not know by name that they were friends of Antron Mc Cray. Clarence states that he and the rest of the group continued south in the park and then at approx the middle of the park around 96th St about seven of the guys went after and beat up another jogger at the fence near the reservoir and this was a male white (could supply no further description). Clarence states that he and Antron Mc Cray ran out of the park and after awhile the other guys came out and they all started walking north on Central Park West and as they walked a green van turned into the street and pulled up to the group and one of the guys in the van said that they were the police and that no one should run but everyone ran any way. Clarence states that he ran to W 100th St and turned into the park and he tripped and fell to the ground and the police caught him. Clarence further states that the others all ran in different directions

When questioned about anyone else who the group had hit Clarence stated that there was an old bum who was a male white or hispanic that Lamont Mc Call had hit with his fist in the back of the bum's head and knocked him to the ground. Clarence further stated that the only other person he saw in the park, outside of the three he had mentioned was some people on a bike but that they did not go after them. Clarence states that the Bum was in the middle of the park and that the Bum was wearing a dark blue coat with grayish pants. When asked if anyone in the group had a weapon Clarence stated that there was a M/B in his teens tall wearing blue jeans with patches all over them and a beige trench coat and he had a pipe that was approx 14 inches long with one end taped with black tape. Clarence states that he does not know this tall male's name but that he saw this male take this pipe out of his pants with his right hand when they were at the reservoir with the man who had been beat but he did not see if the tall male hit the male white with the pipe. Clarence states that he was too far away from the seven guys to see who was hitting the white male. At this time Clarence was allowed to go home with his mother and the interview was discontinued

On this date at approx 1130hrs the undersigned along with Det Whelpley were at the home of Clarence Thomas and spoke to Clarence's mother first and told her that Clarence had to be spoken to again. Mrs Thomas invited the undersigned and Det Whelpley into her home and then went and woke up Clarence. Mrs Thomas brought Clarence into her kitchen and he sat down and did Mrs Thomas and at this point the undersigned reminded both of them of their rights and again told them they had the right to have an attorney present before speaking to the police. Both Mrs Thomas and Clarence agreed to speak to us without an attorney present. At this time Clarence stated that the pipe he told us about before was passed back and forth between the tall guy and Antron Mc Cray but Clarence still state that he did not see either of them hit the guy with the pipe. When asked about anyone else being beat in the park by this group, Clarence stated that the Bum Lamont hit but this time Clarence states Lamont beat the Bum with three other guy's and that they really beat the guy by punching and kicking him then they dragged this Bum off the road and on the curb and left him there bleeding. Clarence states he does not know the names of the three guys who beat the Bum with Lamont by name but that Antron might know them. Clarence and his mother agreed to show the undersigned where Antron lived and also agreed to come back to the Central Park Pct with the undersigned. While in auto 8475 Mrs Thomas directed the undersigned and Det Whelpley to [redacted] and stated that Antron lived in this building in apartment [redacted] Det Rosario along with Dets Rivera and Morin from Sex Crimes went into [redacted] and came out with the subject who was identified as Antron Mc Cray and his mother Linda Mc Cray and his father Bobby MC Cray. Det Rosario informed the undersigned that he requested Mr and Mrs Mc Cray and Antron to come to the CPP and they agreed further Det Rosario asked that Antron wear the clothes he had been wearing before he went to bed and this was also agreed to by both parents and Antron. When Antron exited the building his clothes were covered with dried mud and were very dirty. Mr and Mrs Mc Cray and Antron were transported to the CPP in Sex Crime auto 731 and Mrs Thomas and Clarence were transported in DBMSTF auto 8475.

INVESTIGATION CONTINUING

Reporting Officer's Name and Signature Det [Signature] DBMSTF	Name Printed J FARRELL	File Registry No. 864631	Supervisor's Signature Sgt.	C.O. Initials
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P-APP000520

A. MCCRAY

1 Q. Anyone other than the detectives and the DA?

2 A. No, sir.

3 MR. DePAUL: So, for the record, I've just
4 handed Mr. McCray Antron McCray Exhibit B.

5 Q. Mr. McCray, can you just take a minute to review
6 that?

7 MR. DePAUL: And for the record, it is a
8 document that was produced by plaintiff's counsel
9 and bears Bates Nos. AM019026 through AM019033.

10 (Whereupon, the Witness perused the
11 document.)

12 Q. Mr. McCray, have you had the opportunity to
13 review this?

14 A. Yes, sir.

15 Q. This is a report --

16 MR. DePAUL: Strike that.

17 Q. Other than in the presence of your counsel,
18 Mr. McCray, have you ever seen this document before?

19 A. I can't recall.

20 Q. This is a report entitled "Inmate Status Report
21 for Parole Board Appearance," prepared by a M [REDACTED]
22 Sanacore (phonetic), in or about October of 1994.

23 Mr. McCray, can you please turn to the sixth page
24 of this document? It says page 6 at the top, and at the
25 bottom it bears Bates No. AM019031.

A. MCCRAY

1 And can you direct your attention to the first
2 two sentences of the first paragraph on this page?

3 A. Yes.

4 Q. Okay. Mr. McCray, this states -- it says,
5 Inmate's statement. The subject was interviewed by this
6 writer on 9/6/94, at Brookwood Secure Center. He admitted
7 to everything but the rape and beating of the female
8 jogger.

9 Mr. McCray, did I read that correctly?

10 A. Yes.

11 Q. Is that true?

12 MR. WAREHAM: Is which true?

13 Q. Is it true that you admitted to this individual
14 that you participated in everything but the rape and
15 beating of the female jogger?

16 A. I don't know who this individual is. I don't --
17 this is a parole board?

18 Q. Yes. It was an interview with the individual who
19 prepared this document. His name was M [REDACTED] Sanacore,
20 according to that document.

21 And, according to his report, you admitted to him
22 that you participated in everything but the rape and the
23 beating of the female jogger.

24 A. No, sir, I don't think this is true.

25 Q. Do you recall being interviewed by anyone before

A. MCCRAY

1 your parole board appearance?

2 A. I told you I went twice. So, which time?

3 Q. Do you recall being interviewed by someone in
4 September of 1994 about your parole board appearance?

5 A. No, sir.

6 Q. So is the statement that you admitted to
7 everything but the rape and the beating of the female
8 jogger, is that mistaken?

9 A. This is mistaken, sir.

10 Q. Okay. I can take that back, Mr. McCray. We're
11 finished with it. Thank you.

12 MR. WAREHAM: You know, I would have let you
13 tell him -- to say, Is that one a lie? I would
14 have let that one in.

15 Q. So earlier before we took the break, you said
16 that you returned to your mother's apartment with Orlando?

17 A. Yes.

18 Q. And did your mother say anything to Orlando when
19 you were at her apartment?

20 A. Yes.

21 Q. What did she say?

22 A. She said, "Thank you for bringing my son home."

23 Q. And what did Orlando say?

24 A. He said, "No problem."

25 Q. And what happened after that?

A. MCCRAY

1 A. Orlando left.

2 Q. And did you have a conversation with your mother
3 at that point?

4 A. My mother asked me was I okay, was my ankle okay.

5 Q. And what did you say?

6 A. I told her it was real sore.

7 Q. And did your mother mention anything about your
8 clothes?

9 A. Yes.

10 Q. And what did your mother say about your clothes?

11 A. What happened to your clothes?

12 Q. And what did you say?

13 A. I told her that I fell playing tag, fell in mud.

14 MR. DePAUL: I marked another exhibit while
15 we were on the break. It's Antron McCray Exhibit

16 C. The mark is on the back.

17 Q. Mr. McCray, can you take a look at that for me?

18 A. Yes, sir.

19 MR. DePAUL: And let the record reflect I'm
20 handing copies to counsel.

21 THE VIDEOGRAPHER: We're now off the record
22 at approximately 3:46.

23 (Whereupon, an off-the-record
24 discussion was held.)

25 THE VIDEOGRAPHER: Still tape No. 3. We are

A. MCCRAY

1 back on the record at approximately 3:48.

2 Q. So, Mr. McCray, I've just handed you a document
3 which has been marked Antron McCray Exhibit C?

4 MR. DePAUL: I want to state for the record
5 that this is a document which does not bear a
6 Bates number because it was produced to both
7 sides by the New York County District Attorney's
8 office after a visit that both sides took to the
9 New York County District Attorney's office to
10 decide which photographs each side wanted that
11 were in the possession of the District Attorney's
12 office.

13 For ease of reference, we can produce
14 this document with a Bates number; but for our
15 purposes now it's not necessary.

16 Q. So, Mr. McCray, have you had a chance to look at
17 the exhibit?

18 A. Yes, sir.

19 Q. And are these the clothes that you wore into
20 Central Park on April 19, 1989?

21 A. Yes, sir.

22 Q. And does this picture accurately reflect the
23 clothes that you wore into Central Park on April 19, 1989,
24 after you left the park?

25 A. Yes, sir.

A. MCCRAY

1 Q. Did your clothes look like this when you left
2 Central Park on April 19, 1989?

3 A. Yes.

4 Q. Okay. We're finished with the exhibit.

5 So after you returned home, what did you do with
6 the clothes that you were wearing?

7 A. I put them in the tub.

8 Q. Did you wash the clothes at all?

9 A. No, sir.

10 Q. And why did you put them in the tub?

11 A. Because my mother told me to put them in there.
12 She was going to soak them.

13 Q. Okay. Do you know if your mother actually soaked
14 your clothes that night?

15 A. No, she didn't soak them, sir.

16 Q. What happened next?

17 A. I changed -- I changed my clothes. I put the
18 clothes in the bathtub, like my mother said, and we got a
19 phone call.

20 Q. What time did you get that phone call?

21 A. I don't know.

22 Q. And what happened next?

23 A. We got a phone call. I didn't answer the phone,
24 my mother did. I was sitting down on the couch watching TV
25 and my mother asked me where was Clarence Thomas.

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A. MCCRAY

1 Q. How long were you home before you got the phone
2 call?

3 A. Like a half hour, forty-five minutes.

4 Q. Okay. And then -- so your mother picked up the
5 phone?

6 A. Yes.

7 Q. Do you know who was on the line? At the time
8 that she picked up the phone, did you know who was calling?

9 A. At the time she picked up the phone?

10 Q. Yeah.

11 A. No, I didn't know who was calling.

12 Q. And your mother asked you where Clarence Thomas
13 was?

14 A. Yes.

15 Q. And what did you say?

16 A. I don't know.

17 Q. At that point, did you know who was on the phone?

18 A. Yes.

19 Q. Who was on the phone?

20 A. Clarence mother.

21 Q. Do you know Clarence's mother's name?

22 A. I did at that time.

23 Q. You don't now?

24 A. I can't remember.

25 Q. Were your mother and Clarence Thomas' mother

A. MCCRAY

1 friends?

2 A. No.

3 Q. Did they know each other?

4 A. Through me and Clarence.

5 Q. Okay. Had they -- had they -- so they met before
6 April 19, 1989?

7 A. Yes.

8 Q. Could you hear your mother speaking on the phone?

9 A. Yes.

10 Q. And what was your mother saying?

11 A. I'll ask Tron where he's at.

12 Q. And at that point, had she asked where he was?

13 A. Yes.

14 Q. Okay. And you replied to your mother that you
15 didn't know where Clarence was?

16 A. Yes, sir.

17 Q. Where did you think he was?

18 A. Right then at that point, I didn't know where he
19 was at.

20 Q. Did you think he had been caught by the police?

21 A. Caught or he got away or on his way home.

22 Q. Did you tell your mother at that point that you
23 and Clarence had been in the park earlier?

24 A. No.

25 Q. Did you hear your mother say anything else while

A. MCCRAY

1 she was on the phone?

2 A. Yes.

3 Q. What did she say?

4 A. When he get in, give me a call.

5 Q. Okay. And how long did that phone call last?

6 A. I don't know, sir.

7 Q. Was it more than five minutes?

8 A. Yes.

9 Q. Was it more than ten minutes?

10 A. I don't know, sir.

11 Q. So what happened after your mother got off the
12 phone?

13 A. My mother asked me again where's Clarence.

14 Q. Okay. And what did you say?

15 A. I told her I didn't know.

16 Q. Did you say anything else?

17 A. She said -- that was it. She asked me where was
18 he at. I just told her I didn't know.

19 Q. And at that point, did you tell her that you had
20 been in Central Park?

21 A. No.

22 Q. Why not?

23 A. Because I know I wasn't supposed to be in Central
24 Park.

25 Q. What happened next?

A. MCCRAY

1 A. I don't know how many minutes passed by, but
2 Clarence Thomas mother called again.

3 Q. And what happened when she called?

4 A. She said Clarence -- I didn't know what she said,
5 but on my mother's end she was like, Come over. My mother
6 told Clarence mother to come over.

7 Q. And did Clarence Thomas' mother come over?

8 A. Yeah, she came over.

9 Q. And how much time had passed between the first
10 phone call and the second phone call, if you know?

11 A. I don't know.

12 Q. Do you know approximately what time Clarence
13 Thomas' mother came to your apartment?

14 A. I think it's like -- it was like in the range of
15 11 o'clock, 11:30.

16 Q. Was it past your bedtime at this time?

17 A. No.

18 Q. Okay.

19 A. Because, remember, it was -- like I said, it was
20 a holiday the next day so I was able to stay up, you know.
21 I could stay up until I fall asleep.

22 Q. Okay. So what were you doing when Clarence
23 Thomas' mother came to your apartment?

24 A. Sitting on the couch.

25 Q. Okay. Were you watching television?

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A. MCCRAY

1 A. Yes.

2 Q. What was your mother doing?

3 A. Just walking back and forth through the house,
4 doing whatever she was doing.

5 Q. Was your mother angry at all?

6 A. Yes.

7 Q. About what?

8 A. She wanted to know where Clarence was at, where
9 was Clarence at, because he was with me.

10 Q. And at that point, did you tell her that you had
11 been in Central Park?

12 A. No.

13 Q. What happened after Clarence Thomas' mother came
14 to your apartment?

15 A. Oh, she got to my mother's house. She -- I heard
16 her say, Linda, I don't know where Clarence is at. He
17 knows he's supposed to be home by now. And then I butted
18 in and said, He might be arrested. He might be arrested.

19 Q. And what was your mother's reaction?

20 A. She smacked me.

21 Q. And what was Clarence mother's reaction?

22 A. She said, Why?

23 Q. And what did you say?

24 A. I said, We was running through the park.

25 Q. Okay. And what happened next?

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A. MCCRAY

1 A. My mother said, Okay. Let's go get him. Let's
2 go find him. So I got dressed. I was already dressed. So
3 we -- all three of us left the house and went to the
4 precinct that got -- that I had to do the lineup at.

5 Q. Okay.

6 A. I took them to that precinct. And I asked the
7 officer -- no, my mother and Clarence Thomas mother asked
8 the officer about Clarence Thomas. And they said they
9 didn't have nobody by the name of Clarence Thomas there.

10 Q. So, just backtrack a little bit, Mr. McCray.
11 Who went to the precinct with you?

12 A. My mother and Clarence Thomas mother.

13 Q. Did Bobby McCray go with you?

14 A. No, sir.

15 Q. Where was Bobby McCray at that point when you
16 left to go to the precinct?

17 A. He was at work.

18 Q. Okay. And you said that you took your mother and
19 Clarence Thomas' mother to a precinct, right?

20 A. Yes, the one that I had -- that I got the lineup
21 done.

22 Q. How did you know to take them to a police
23 precinct?

24 A. Because I told my mother he might have gotten
25 locked up, so I went to that precinct. It was on the east

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A. MCCRAY

1 side.

2 Q. Why did you pick that one?

3 A. That's the one I knew.

4 Q. How did you know it?

5 A. Because there's a McDonald's over there and my
6 school was in that area.

7 Q. Okay. Had you ever been there before then?

8 A. No, sir.

9 Q. And, again, you don't know the number of that
10 precinct, right?

11 A. No, sir.

12 Q. So what happened after you arrived at that
13 precinct?

14 A. Like I said, they asked for Clarence. The police
15 officer said they didn't have nobody by the name of
16 Clarence there. And then I told them we was in -- I told
17 the -- I told the police officer that me and Clarence was
18 Central Park.

19 Q. Okay.

20 A. Then he told my mother and Clarence mother to go
21 -- you might want to go to Central Park to see if he's
22 there, the precinct in Central Park.

23 Q. Okay. And did you tell the police officer what
24 you were doing in the Central Park?

25 A. No, sir.

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A. MCCRAY

1 Q. Did you tell the police officer about anything
2 that had happened in Central Park?

3 A. No, sir.

4 Q. Do you know what that police officer looks like?

5 A. No, sir. No.

6 Q. Was it a male or female?

7 A. A male.

8 Q. Was he -- what was his -- what was the color of
9 his skin?

10 A. Caucasian.

11 Q. Was he in uniform?

12 A. Yes.

13 Q. Do you know if it was a blue uniform or a white
14 uniform or anything else?

15 A. I can't recall.

16 Q. So how long were you at that precinct?

17 A. A few minutes.

18 Q. And what was your mother's reaction at this
19 point?

20 A. I was kind of walking behind my mother and
21 Clarence mother so they was talking.

22 Q. Was your mother angry at you?

23 A. Yes.

24 Q. And how did you feel?

25 A. I felt bad.

A. MCCRAY

1 Q. So after you left the precinct, where did you go?

2 A. Central Park.

3 Q. How long did it take you to get there?

4 A. We took a cab. It didn't take that long.

5 Q. Okay. And did the cab take you --

6 MR. DePAUL: Strike that.

7 Q. Where did the cab take you?

8 A. To the precinct in Central Park.

9 Q. And who paid for the cab?

10 A. I don't know.

11 Q. Was it a yellow cab?

12 A. You said who paid?

13 Q. Yes.

14 A. I don't know, sir.

15 Q. Was it a yellow cab?

16 A. I don't know.

17 Q. And where did you sit in the cab, if you
18 remember?

19 A. Next to my mother.

20 Q. In the back seat?

21 A. Yes.

22 Q. And where was Clarence Thomas' mother?

23 A. On the other side of my mother.

24 Q. So what happened when you got to the precinct in
25 Central Park?

A. MCCRAY

1 A. We got there. Clarence mother went to the desk.
2 I sat there with my mother. Clarence mother went to the
3 desk and asked was Clarence there.

4 Q. And did you hear how the police officer
5 responded?

6 A. No.

7 Q. Did you learn that Clarence was at that precinct?

8 A. Yes.

9 Q. And how did you learn that?

10 A. While she was talking to him, he went through
11 some papers and said he's here.

12 Q. Okay. And did you see -- when you were sitting
13 down in the precinct, did you see anyone else in the
14 precinct besides your mother and Clarence Thomas' mother
15 and the police officers?

16 A. Yes.

17 Q. Who did you see?

18 A. There was a door -- there was a room and the door
19 was cracked and I seen Clarence, like I could see him from
20 where I was sitting at.

21 Q. Okay. And did you see anyone else in that room?

22 A. There was people in the room, but I didn't
23 recognize or I wasn't trying to recognize them at the time.

24 Q. Did you see Kevin Richardson in that room?

25 A. No.

A. MCCRAY

1 Q. Did you see Raymond Santana in that room?

2 A. No.

3 Q. Did you see Steve Lopez in that room?

4 A. No.

5 Q. Did you recognize anyone that room?

6 A. Just Clarence at the time. At that point in
7 time, just Clarence.

8 Q. Were there any police officers in that room?

9 A. I can't recall.

10 Q. Okay. So what happened next?

11 A. We stayed. Me and my mother stayed with Clarence
12 mother. I know my mother had to go to work. It was like
13 -- it was getting towards the wee hours of the morning,
14 like I think 2 o'clock, and Clarence mother told my mother
15 that she could go home.

16 Q. Did you ever learn why Clarence Thomas had been
17 picked up and taken to the precinct?

18 A. At that time?

19 Q. Yes.

20 A. No.

21 Q. Do you know if he been charged with anything?

22 A. No.

23 Q. Do you know if he had been arrested for anything?

24 A. No.

25 Q. Was Clarence in handcuffs when he was sitting in

A. MCCRAY

1 that room?

2 A. I can't remember.

3 Q. At any point, did you go inside that room?

4 A. No.

5 Q. Did you speak with anyone in that room throughout
6 the entire time you were in the precinct?

7 A. No.

8 Q. Okay. Did you yourself speak with anyone while
9 you were at the Central Park precinct?

10 A. My mother.

11 Q. Anyone else?

12 A. I can't remember, sir.

13 Q. Did you speak with any police officers?

14 A. I can't recall.

15 Q. Did your mother tell anyone her name when she was
16 at the precinct?

17 A. I can't recall.

18 Q. Did your mother tell anyone your name?

19 A. I can't recall.

20 Q. And did you tell anyone your name while you were
21 at the precinct?

22 A. I don't think so, sir.

23 Q. Okay. So you said it was around 2 a.m. when you
24 left?

25 A. Around that time.

A. MCCRAY

1 Q. Did you -- at the time that you left, did you
2 know what was going to happen to Clarence?

3 A. No.

4 Q. Did Clarence Thomas' mother know what was going
5 to happen to Clarence?

6 MR. WAREHAM: Objection.

7 A. I don't know.

8 Q. When you left, did you have to ask anyone's
9 permission to leave?

10 A. No.

11 Q. What happened next?

12 A. My mother told her, Was she going to be okay.
13 She said yes. And my mother said, Okay. Give me a call
14 when he gets home.

15 Q. Okay.

16 A. Me and my mother took a cab back home. I said it
17 was late because I know my mother was like, I'll deal with
18 you after that. I'm going to get some rest, but I'll deal
19 with you.

20 My mother said she will deal with me when she get
21 back home. She going to get some rest right now. She'll
22 deal with me after work.

23 Q. So at this point, your mother was still angry
24 with you?

25 A. Yes.

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A. MCCRAY

1 Q. And what time did your mother normally go to
2 work?

3 A. 7:30 in the morning.

4 Q. And just to backtrack, Mr. McCray, you didn't
5 have to ask any police officer's permission to leave the
6 Central Park precinct, did you?

7 A. No, sir.

8 Q. So how long did it take you to get home in the
9 cab?

10 A. I don't know, sir.

11 Q. What time did you go to bed that night?

12 A. I don't know exactly what time I went to bed.

13 Q. And when your mother said I'll deal with you in
14 the morning, did she say that --

15 A. She said, I'll deal with you later.

16 Q. I'm sorry, I'll deal with you later after work,
17 did she say that to you when you were in the apartment or
18 were you in the cab?

19 A. In the cab.

20 Q. And did you have any other type of conversation
21 with your mother while you were in the cab?

22 A. No, sir.

23 Q. And did you have any conversation with your
24 mother when you arrived home?

25 A. She told me to go straight -- straight to bed.

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A. MCCRAY

1 Q. And did you?

2 A. I was in the bed, but I wasn't sleeping at the
3 time.

4 Q. What time did you wake up on April 20th?

5 A. Eight o'clock, 8:30.

6 Q. Okay. And just to be clear, you didn't have
7 school that day, right?

8 A. I didn't have school, sir.

9 Q. When you woke up on April 20, 1989, was anyone
10 else home?

11 A. No, sir.

12 Q. What did you do after you woke up?

13 A. I got something to eat. Made myself something to
14 eat and watched TV.

15 Q. What did you eat?

16 A. I don't know.

17 Q. And what TV did you watch?

18 A. Which TV?

19 Q. Yeah. What TV shows?

20 A. I don't know.

21 Q. Did you see anything on the news about what had
22 happened in Central Park the night before?

23 A. No.

24 Q. Were there any newspapers around your house on
25 the morning of April 20th?

A. MCCRAY

1 A. I don't know.

2 Q. Did any of them --

3 MR. DePAUL: Strike that.

4 Q. Did any newspapers talk about what happened?

5 A. Well, I didn't go outside to get the newspaper.

6 Q. So there was no newspaper inside your house?

7 A. No newspaper, sir.

8 Q. Did there come a time on the morning of April 20,
9 1989, when Bobby McCray returned home?

10 A. Yes.

11 Q. What time was that?

12 A. I don't remember the time exactly.

13 Q. And was that -- was he on the end of his shift,
14 was he taking a break, was he on a lunch break? Do you
15 know why he came home?

16 A. I think it was the end of his shift.

17 Q. Okay. And did you speak with Bobby McCray after
18 he came home?

19 A. I just said, How you doing, Dad?

20 Q. And did he respond?

21 A. Yes.

22 Q. And what did he say?

23 A. He said, I'm doing okay. How you doing? I said,
24 Okay.

25 Q. And then after that?

A. MCCRAY

1 A. He went in his room.

2 Q. What happened after that?

3 A. There was a knock at the door.

4 Q. I'm sorry, just to backtrack.

5 What were Bobby McCray's hours at work, if you
6 know?

7 A. I don't know.

8 Q. Did he have a regular shift?

9 A. I don't know because some days it'd be like I
10 didn't see him for a whole night or a whole day, like he
11 was doing doubles or something like that. I don't know.

12 Q. Okay. So you said there was a knock at the door?

13 A. Yes.

14 Q. Who opened the door?

15 A. I did.

16 Q. And when you opened the door, what did you see?

17 A. Like three Caucasian men.

18 Q. And did those men identify themselves?

19 A. Yes.

20 Q. Who did they identify themselves to be?

21 A. Police officers.

22 Q. Were those men in uniform?

23 A. No.

24 Q. What were they wearing?

25 A. Regular clothes.

A. MCCRAY

1 Q. Okay. Were they wearing suits or just regular
2 clothes?

3 A. Suits.

4 Q. Can you describe each of the men for me so that
5 when -- do you know what any of their ethnicities were?

6 A. Caucasian.

7 Q. They were all Caucasian?

8 A. I think so.

9 Q. And how tall were they?

10 A. They was taller than me. Excuse me. They was
11 tall.

12 Q. So other than then --

13 MR. DePAUL: Strike that.

14 Q. Other than identifying themselves as police
15 officers, did they say anything else?

16 A. They asked me was my parents home. They asked me
17 who was I.

18 Q. Okay. And what did you say?

19 A. Antron. Excuse me. Antron.

20 Q. And did they ask for your last name?

21 A. I don't know.

22 Q. And then they asked you if your parents were
23 home?

24 A. Yes.

25 Q. And what did you say?

A. MCCRAY

1 A. I told them my father was home.

2 Q. Okay. And then what happened?

3 A. They told me to go get him.

4 Q. And did you?

5 A. Yes, sir.

6 Q. What happened next?

7 A. I got my father. He opened the door back and he
8 let them in.

9 Q. And what was your reaction when you saw the
10 police officers at your door?

11 A. I guess I was scared.

12 Q. Why?

13 A. Because I had police officers at my door.

14 Q. Did you think that they were there for you?

15 A. Yes, he asked me -- one of them asked me -- they
16 asked who I was, so I kind of figured they was there for
17 me.

18 Q. Okay. So your father invited them in?

19 A. Yes, sir.

20 Q. And then what happened?

21 A. They were speaking amongst themselves.

22 Q. Okay.

23 A. And one of the officers -- I don't know who --
24 one of the officers told my father they need to take me
25 down to the precinct.

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A. MCCRAY

1 Q. Did -- I'm sorry. Did the police officers ask
2 for you by name or did they ask you what your name was?

3 A. What my name was.

4 Q. Okay. So you said that the officers were having
5 a conversation with Bobby McCray?

6 A. Yes, sir.

7 Q. Could you hear any part of that conversation?

8 A. I just heard they told my father that they were
9 going to take me downtown, they wanted me and my father to
10 go downtown.

11 Q. And what did your father say?

12 A. He said okay.

13 Q. Okay. And then what happened?

14 A. Then he said, Let me call my wife --

15 Q. Okay.

16 A. -- so she can meet us there or will meet us at
17 the house.

18 Q. So your dad called your mother?

19 A. Yes, sir.

20 Q. And he called her at work?

21 A. Yes, sir.

22 Q. And could you hear what your dad was saying to
23 your mother?

24 A. No. I mean, I don't know. I heard -- I can't
25 remember word for word though, but I think he said, like, I

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A. MCCRAY

1 need you to come home because Tronny got to go to the
2 precinct. We got to go the precinct with Tronny.

3 Q. Okay. And by "Tronny," he meant you?

4 A. Yes, sir.

5 Q. And then what happened?

6 A. They let us wait for my mother. My mother came
7 and then we went down. My mother came and then one of the
8 officers asked me did I have -- the clothes that I have on,
9 did I have on last night.

10 Q. And what did you say?

11 A. I said, No, sir.

12 Q. And then what happened after that?

13 A. He asked me where was the clothes that I had on
14 last night.

15 Q. What did you say?

16 A. I said, In the bathroom, in the tub.

17 Q. And the officer ask you to do anything?

18 A. He asked me where the bathroom was.

19 Q. Okay. And did you say where the bathroom was?

20 A. Yes, sir.

21 Q. And then what happened?

22 A. I showed him the bathroom, and he got my clothes.

23 Q. So he took your clothes?

24 A. Yes.

25 Q. Can you describe that officer for me?

DIAMOND REPORTING (718) 624-7200 info@diamondreporting.com

A. MCCRAY

1 A. No, sir.

2 Q. When he took your clothes, what did he do with
3 them?

4 A. I don't remember, sir.

5 Q. Did he put them in a bag? Did they hold them in
6 his hands?

7 A. He had them in his hand.

8 Q. Okay. And did there come a time when your mom
9 arrived at your apartment?

10 A. Yes.

11 Q. Okay. And how long did it take for her to get to
12 the apartment?

13 A. Not too long.

14 Q. And what was your mother's demeanor when she got
15 home?

16 A. She looked like she was scared.

17 Q. Okay. And what was your father's demeanor at
18 this point?

19 A. He had -- his expression -- he was calm, like he
20 always was.

21 Q. And how were you feeling?

22 A. I was nervous.

23 Q. So what happened after that?

24 A. Me and my mother and my father went downstairs.
25 And while we was walking out the building, there was like

A. MCCRAY

1 two police cars, and Clarence Thomas was in one of them.

2 And me and my mother and my father got in the other police
3 car.

4 Q. So you didn't get in the same car as Clarence
5 Thomas?

6 A. No, sir.

7 Q. Was Clarence Thomas' mother in the car with him?

8 A. I can't recall, sir.

9 Q. Do you know if anyone else besides police
10 officers was in the car with Clarence Thomas?

11 A. No, sir.

12 Q. And the police car that you got into with your
13 mother and your father, did that have police markings on
14 it?

15 A. No, sir.

16 Q. So it didn't have any police markings on it?

17 A. No, sir.

18 Q. Okay. Do you remember what color the car was?

19 A. No, sir.

20 Q. Did you get in the back seat?

21 A. Yes, sir.

22 Q. And where were you seated in the back seat?

23 A. I was seated I think next to my mother.

24 Q. Were you in the middle?

25 A. I don't think so, sir.

A. MCCRAY

1 Q. Okay. Do you remember if you were on the right
2 side or the left side?

3 A. I don't remember.

4 Q. Were you handcuffed in the police car?

5 A. No, sir.

6 Q. At any point before you got into the police car,
7 were you placed in handcuffs?

8 A. No, sir.

9 Q. So what happened next?

10 A. We drove to a precinct.

11 Q. Do you know which one?

12 A. No.

13 Q. Was it any of the precincts you had been to the
14 night before?

15 A. No, sir.

16 Q. Did anyone --

17 MR. DePAUL: Strike that.

18 Q. How many police officers were in the car with
19 you?

20 A. I can't recall.

21 Q. Was there any conversation in the car while you
22 were driving to the police precinct?

23 A. No.

24 Q. Did you say anything to your mother or your
25 father?

A. MCCRAY

1 A. No.

2 Q. Did they say anything to you?

3 A. No.

4 Q. Did the police officers speak to your parents at
5 all?

6 A. In the car?

7 Q. Yes.

8 A. No, sir.

9 Q. Did the police officer or police officer who was
10 in the car speak to you at all?

11 A. No, sir.

12 Q. Did you cry when you were in the car?

13 A. Yes.

14 Q. Why were you crying?

15 A. I was scared.

16 Q. And did your mother say anything to you while you
17 were crying?

18 A. She was just wiping my face.

19 Q. To your knowledge, had your clothes been washed
20 at all before the police officer took them from the tub?

21 A. No, sir.

22 Q. Had they been soaked or -- had they been soaked
23 in any way?

24 A. No, they weren't soaked, sir.

25 Q. So how long did it take you to get to the police

A. MCCRAY

1 precinct?

2 A. I don't know.

3 Q. What happened next?

4 A. We went to the police precinct. They put us in a
5 room, me and my mother and father.

6 Q. And what did the room look like?

7 A. It was a room with a desk in it.

8 Q. A room with a desk you said?

9 A. Yes, yes.

10 Q. Can you remember anything else in the room?

11 A. No, sir.

12 Q. Was the room big or was it small?

13 A. I don't know, sir.

14 Q. So what happened next?

15 A. They sat us down. Three police officers, they
16 sat down and they asked me what happened last night.

17 Q. So when you entered the room, did the police
18 officers enter with you?

19 A. They opened the door and they came in behind us.

20 Q. Okay. So you all went in basically at the same
21 time?

22 A. Yes.

23 Q. Okay. And it was three police officers in the
24 room with you?

25 A. Three or four. Maybe five.

T4-fr

383

1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 came and began interviewing them one at a time.

3 Q Approximately what time was that if you
4 recall?

5 A I believe that's approximately 5:50 in the
6 morning. Let me refresh my memory with that. I'm
7 sorry, that was approximately 5:30.

8 Q Were you aware when parents of the family
9 returned with food?

10 A Yes.

11 Q Were you aware whether any of that food was
12 given to any of the people you had in the Juvenile
13 room?

14 A Yes.

15 Q Who do you recall seeing have some food in
16 that room?

17 A I believe all of them ate.

18 Q And do you recall whether Raymond Santana
19 made any statement in your presence while he was in
20 that room?

21 A Yes, he did.

22 THE COURT: Which room?

23 Q I'm sorry. In the Juvenile room?

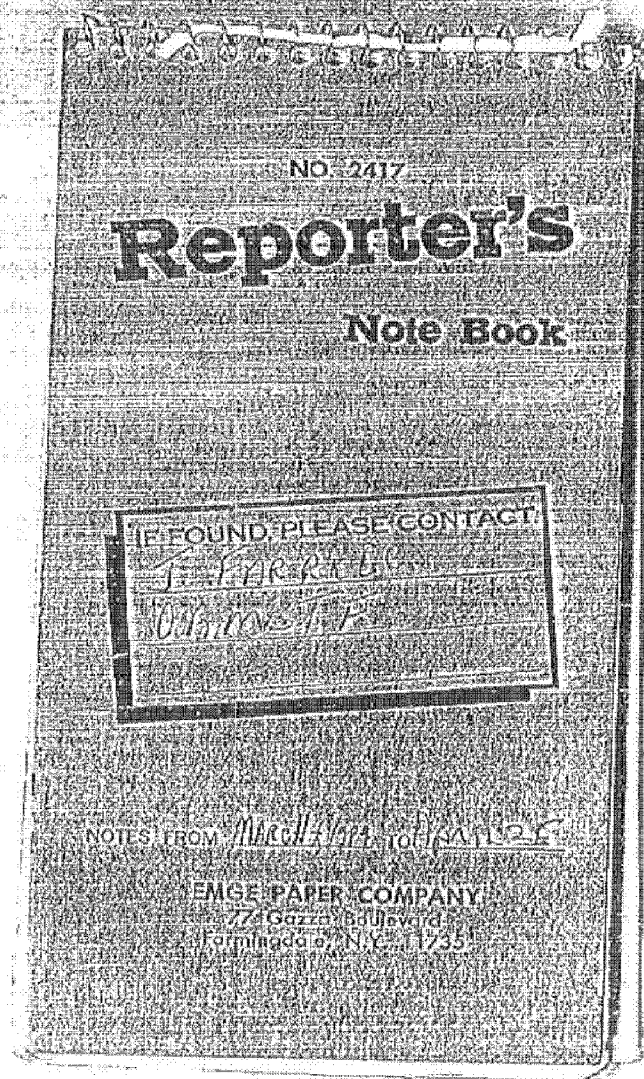
24 A Yes.

25 Q What, if anything, did you hear him say?

10/13/89

NYCLD_023129

P-APP000553

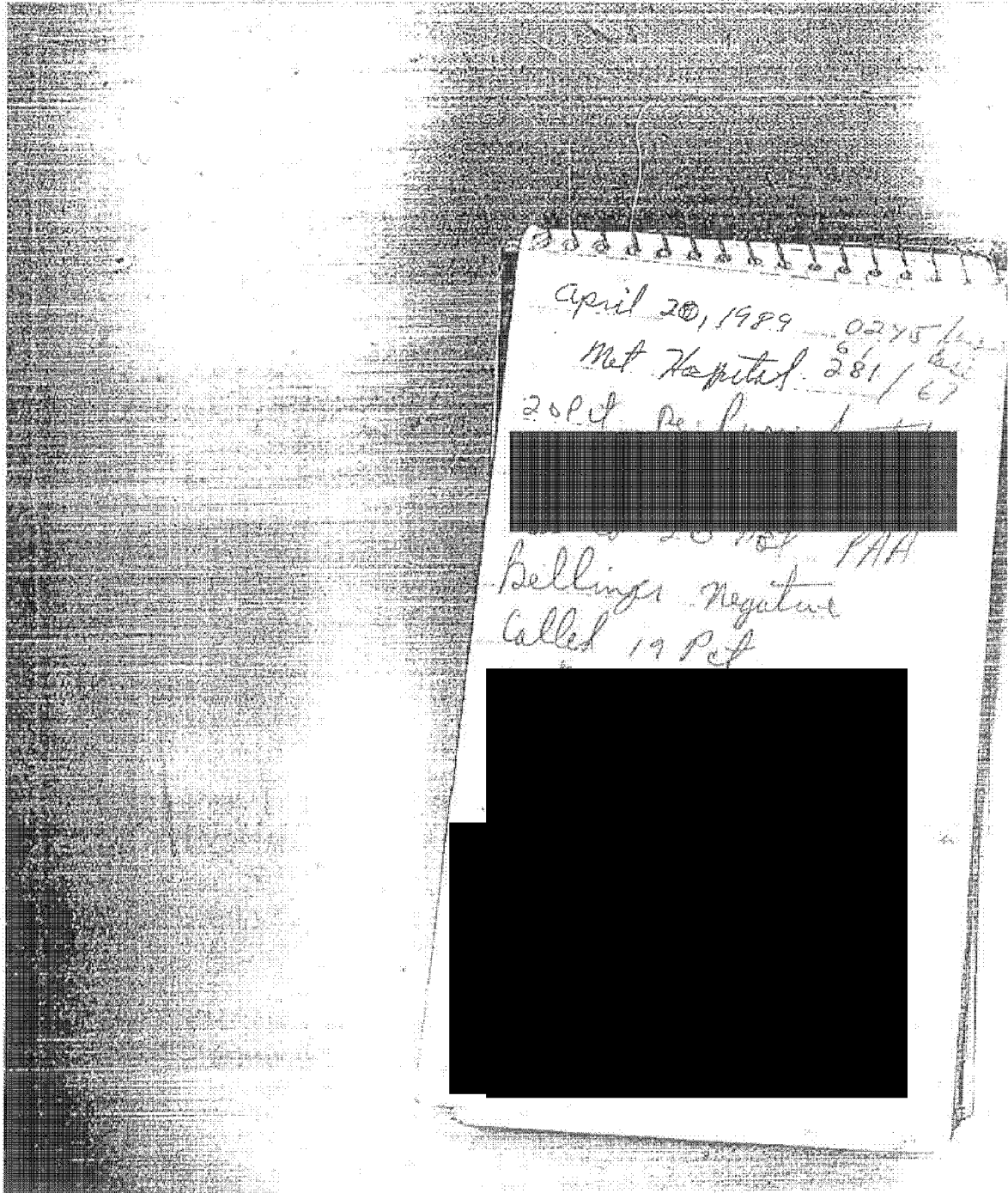


Farrell Exh. 2

NYC042243

NYCLD_058342

P-APP000554



NYC042244

NYCLD_058343

P-APP000555

[REDACTED]
Thomas, Clarence
M/B
[REDACTED]
Kevin Richardson 10/7/74 M/B
Jarmont M^cCall M/B [REDACTED]
Raymond Santana M/H 9/7/74
Steven Lopez M/H [REDACTED]
PO Reynolds 1/28/10
CPP A/c

NYC042245

NYCLD_058344

P-APP000556

Clarence Thomas

Tele None

Gloria Thomas

housewife answered yes to all

110th + 5th

Pole M/A-H/15 yrs.

2000 hrs at 110 + 7th

Anthony McCray

SP5 117

met a group of guys
asked us to go to the
Park

NYC042246

NYCLD_058345

P-APP000557

went to park at 110th
 it East side walking
 south 2010 hrs
 someone throwing rocks
 at cars. Ralph M/B/15
 left Prospect
 Schomburg Projects
 like chase or scare them
 9th 11th they started
 chasing on guy M/W
 who got away approx
 8 guys only returned
 the guy got away.
 Then there was another
 group of about 7 guys
 beating some guy M/W
 then these guys got

NYC042247

NYCLD_058346

P-APP000558

back together with us
and we started to leave
and go with to go
home. Then a green
Van turned into the
street and told us
not to run. Tripped
up and I stopped an
that's when the cops
caught me.

That man a M/W or H/
in the back of the
head in the middle
of the park he was
wearing dark blue coat

NYC042248

NYCLD_058347

P-APP000559

with grayest points and
the man fell - fell N/B
teens dark ^{should} patched
blue jeans long trench
coat large had pipe
14 inches long with
taps - name unknown
1/2 in at

Antrom address
Antrom also had the
pipe in was passing
it back and forth betw
the tall guy. Both
Charles & Mother present

NYC042249

NYCLD_058348

P-APP000560

Pointed out Antonio from
on [REDACTED] asked
about any other beating
talked about the
brown dirty guy with
blue jacket
Lamont and three
punched and kicked
the brown. Pulled him
on to curb. Did not
see who was hitting
the guy at the
Get Rivera
Moin

NYC042250

NYCLD_058349

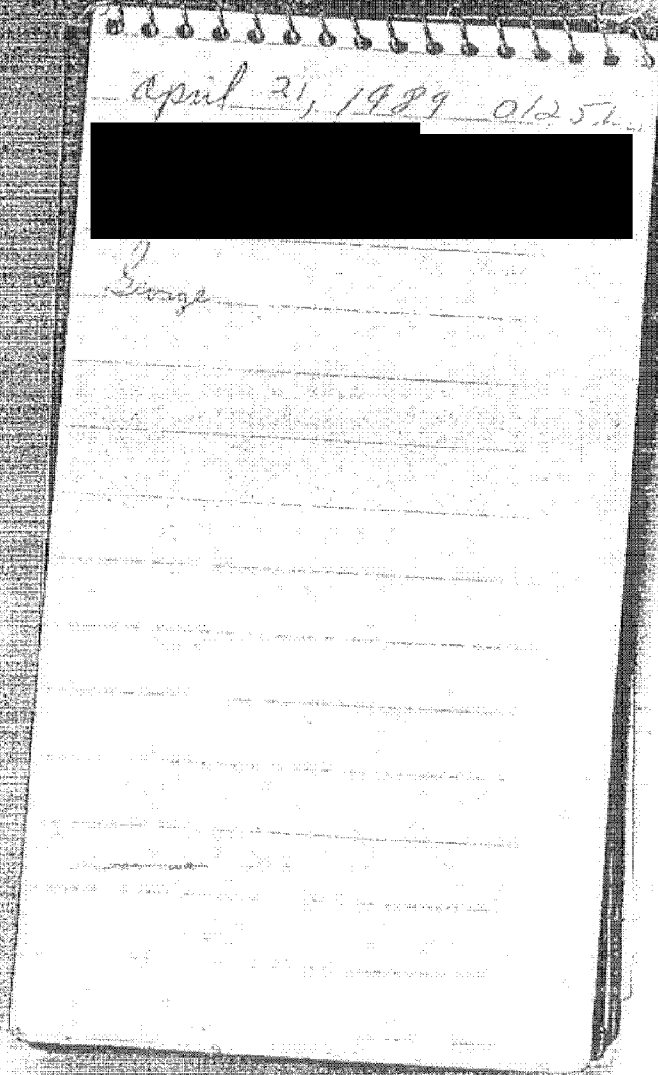
P-APP000561

1330 hrs to
Tennis Courts on
W 100th St and
Manhattan Ave & Columbus
C/o Columbus

NYC042251

NYCLD_058350

P-APP000562



NYC042252

NYCLD_058351

P-APP000563

COMPLAINT - FOLLOW UP INFORMATIONAL		PAGE 1 OF 2	
FD 313-081A (Rev. 1-86)		Pct. 022	Complaint No. 281
Date of Orig. Report	Date Assigned	Case No. 67	Unit Reporting DBMSTF NIGHTWATCH
Complainant's Name: Last, First, MI	4/20/89	Victim's Name - If Different	Unidentified F/W/20-30yrs
P.S.N.Y.	003055	Address, Include City, State, Zip	
Home Telephone	Business Telephone	Position / Relationship	Sex Race Date of Birth Age
Wanted Arrested	Weapon Used Possessed	Describe Weapon (If firearm, give color, make, caliber, type, model, etc.)	
Wanted Arrested Last Name, First, MI	Address, Include City, State, Zip	Apt. No. Res. Pct.	
Sex Race Date of Birth Age Height Weight Eye Color Hair Color Hair Length Facial Hair	NYSID No.		
Eyeglasses Sunglasses Clothing Description	Scars, Marks, M.O., Etc.	Address, Include City, State, Zip	Apt. No. Res. Pct.
Nickname, First Name, Alias	Scars, Marks, M.O., Etc.	Address, Include City, State, Zip	Apt. No. Res. Pct.
Wanted Arrested Last Name, First, MI	Address, Include City, State, Zip	Apt. No. Res. Pct.	
Sex Race Date of Birth Age Height Weight Eye Color Hair Color Hair Length Facial Hair	NYSID No.		
Eyeglasses Sunglasses Clothing Description	Scars, Marks, M.O., Etc.	Address, Include City, State, Zip	Apt. No. Res. Pct.
Nickname, First Name, Alias	Scars, Marks, M.O., Etc.	Address, Include City, State, Zip	Apt. No. Res. Pct.
<p>3. AREA WITHIN BOX FOR DETECTIVE / LATENT FINGERPRINT OFFICER ONLY. THIS BOX WILL BE UTILIZED BY INVESTIGATOR WHENEVER POSSIBLE AND MUST BE FULLY COMPLETED WHEN USING THIS FORM TO CLOSE A CASE "NO RESULTS."</p> <p>Comp. Interviewed <input type="checkbox"/> Yes <input type="checkbox"/> No In Person <input type="checkbox"/> By Phone <input type="checkbox"/> Date Time Results: Same as Comp. Report - Different (Explain in Details)</p> <p>Witness Interviewed <input type="checkbox"/> Yes <input type="checkbox"/> No In Person <input type="checkbox"/> By Phone <input type="checkbox"/> Date Time Results: Same as Comp. Report - Different (Explain in Details)</p> <p>PERP 1: Canvas Conducted <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes - Make Entry in Body Re: Time, Date, Names, Addresses; Results Crime Scene Visited <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes - Make Entry in Details Re: Time, Date, Evidence Obtained</p> <p>PERP 2: Complainant Viewed Photos <input type="checkbox"/> Yes <input type="checkbox"/> Refused <input type="checkbox"/> Future Results</p> <p>PERP 3: Witness Viewed Photos <input type="checkbox"/> Yes <input type="checkbox"/> Refused <input type="checkbox"/> Future Results</p> <p>PERP 4: Crime Scene Visited <input type="checkbox"/> Yes <input type="checkbox"/> No By (Enter Place in Details) Crime Scene Photos <input type="checkbox"/> Yes <input type="checkbox"/> No By (Enter Results in Details)</p> <p>If Closing Case "No Results," Check Appropriate Box and State Justification in Details: <input type="checkbox"/> C-1 Improper Referral <input type="checkbox"/> C-2 Inaccurate Facts <input type="checkbox"/> C-3 No Evidence / Can't ID <input type="checkbox"/> C-4 Uncooperative Complainant</p>			
<p>DETAILS: COMPLAINT: VICTIM FOUND BEAT AND BOUND INSIDE CENTRAL PARK</p> <p>SUBJECT: INTERVIEW OF CLARENCE THOMAS M/B/14yrs</p> <p>1) On this date at 0700hrs the undersigned along with Det Whelpley did interview Clarence Thomas M/B/14yrs DOB [redacted] of [redacted] in the presence of his mother Gloria Thomas who lives at the address. Clarence Thomas was under arrest at this time so the undersigned informed him and his mother of their rights from a card. Both Clarence Thomas and his mother Gloria Thomas acknowledge each right by stating yes and on the last right they agreed to answer questions without an attorney present. Clarence Thomas states that he and his friend Antron Mc Cray who lives on [redacted] and goes to JHS 117 (Exact address unknown) were on E110th St and Madison Ave and they met approx 15 other males all about 13 to 15 yrs old. Clarence states that he did not know all of these males but he did know a guy named Polo who is a M/Bor B/15yrs and he hangs out on E 110th and Madison, a guy named Ralph M/B/15yrs who lives in the Taft projects and he knows Lamont Mc Call (See DD 5 Det Whelpley Re; Lamont Mc Call). Clarence states that the group was mixed with blacks and hispanics and that they all went into the park at E 110th and started walking into the park and south. Clarence stated that they were just hanging out that there was no plan on what they were going to do in the park. Clarence states that they entered the park at approx 2010hrs and he remembers the time because he knows that he met the group at 2000hrs and it took them about ten minutes to talk and then walk to the park. Clarence further states that as they walked thru the park some of the guys were throwing rocks at cars but none of the cars stopped except for a cab (yellow) that did stop but did not chase the group. Clarence also states that as they walked thru the park (location unknown) approx eight of the guys saw a male white 40's jogging who was wearing a sweater and blue shorts, and these eight guys started chasing the male white but after a few minutes five of the eight returned to the group stating that the guy got away.</p>			
<p>Continued on page two</p> <p>Reporting Officer's Name, Signature, Comm. No. Det. J. Farrell DBMSTF</p> <p>Name Printed J. FARRELL Tax Registry No. 854831 Supervisor's Signature C.D.'s Initials</p>			

NYC002949

NYCLD_058353

P-APP000564

COMPLAINT FOLLOW-UP INFORMATIONAL
FD-503 (Rev. 11-80) 24

PCL

Complaint No.

Date of This Report

022

281

4/20/89

DETAILS:

CONTINUED FROM PAGE ONE RE: ASSAULT OF UNIDENTIFIED FEMALE WHITE

INSIDE CENTRAL PARK: INTERVIEW OF CLARENCE THOMAS

003056

- 1) Cont; Clarence does not know what happened to the other three guys who chased the male white and states that they were guys he did not know by name that they were friends of Antron Mc Cray. Clarence states that he and the rest of the group continued south in the park and then at approx the middle of the park around 96th St about seven of the guys went after and beat up another jogger at the fence near the reservoir and this was a male white (Could supply no further description). Clarence states that he and Antron Mc Cray ran out of the park and after awhile the other guys came out and they all started walking north on Central Park West and as they walked a green van turned into the street and pulled up to the group and one of the guys in the van said that they were the police and that no one should run but everyone ran any way. Clarence states that he ran to W 100th St and turned into the park and he tripped and fell to the ground and the police caught him. Clarence further states that the others all ran in different directions
- 2) When questioned about anyone else who the group had hit Clarence stated that there was an old bum who was a male white or hispanic that Lamont Mc Call had hit with his fist in the back of the bum's head and knocked him to the ground. Clarence further stated that the only other person he saw in the park, outside of the three he had mentioned was some people on a bike but that they did not go after them. Clarence states that the Bum was in the middle of the park and that the Bum was wearing a dark blue coat with grayish pants. When asked if anyone in the group had a weapon Clarence stated that there was a M/B/ in his teens tall wearing blue jeans with patches all over them and a beige trench coat and he had a pipe that was approx 14 inches long with one end taped with black tape. Clarence states that he does not know this tall male's name but that he saw this male take this pipe out of his pants with his right hand when they were at the reservoir with the man who had been beat but he did not see if the tall male hit the male white with the pipe. Clarence states that he was too far away from the seven guys to see who was hitting the white male. At this time Clarence was allowed to go home with his mother and the interview was discontinued
- 3) On this date at approx 1130hrs the undersigned along with Det Whelpley were at the home of Clarence Thomas and spoke to Clarence's mother first and told her that Clarence had to be spoken to again. Mrs Thomas invited the undersigned and Dte Whelpley into her home and then went and woke up Clarence. Mrs Thomas brought Clarence into her kitchen and he sat down and did Mrs Thomas and at this point the undersigned reminded both of them of their rights and again told them they had the right to have an attorney present before speaking to the police. Both Mrs Thomas and Clarence agreed to speak to us without an attorney present. At this time Clarence stated that the pipe he told us about before was passed back and forth between the tall guy and Antron Mc Cray but Clarence still state that he did not see either of them hit the guy with the pipe. When asked about anyone else being beat in the park by this group, Clarence stated that the Bum Lamont hit but this time Clarence states Lamont beat the Bum with three other guy's and that they really beat the guy by punching and kicking him then they dragged this Bum off the road and on the curb and left him there bleeding. Clarence states he does not know the names of the three guys who beat the Bum with Lamont by name but that Antron might know them. Clarence and his mother agreed to show the undersigned where Antron lived and also agreed to come back to the Central Park Pct with the undersigned. While in auto 8475 Mrs Thomas directed the undersigned and Det Whelpley to [redacted] and stated that Antron lived in this building in apartment [redacted]. Det Rosario along with Dets Rivera and Morin from Sex Crimes went into [redacted] and came out with the subject who was identified as Antron Mc Cary and his mother Linda Mc Cray and his father Bobby MC Cary. Det Rosario informed the undersigned that he requested Mr and Mrs Mc Cary and Antron to come to the CPP and they agreed further Det Rosario asked that Antron wear the clothes he had been wearing before he went to bed and this was also agreed to by both parents and Antron. When Antron exited the building his clothes were covered with dried mud and were very dirty. Mr and Mrs Mc Cray and Antron were transported to the CPP in Sex Crime auto 731 and Mrs Thomas and Clarence were transported in DBMSTF auto 8475.

INVESTIGATION CONTINUING

Reporting Officer's Name, Signature, Department	Name Printed	Tax Registry No.	Supervisor's Signature	C.O.'s Initials
Det [Signature] DBMSTF	J FARRELL	864831	Sgt.	

CRIMINAL RECORDS SECTION

NYC002950

NYCLD_058354

P-APP000565

T4-fr

395

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A No.

3 Q Were you present for that interview?

4 A Yes.

5 Q After that interview was conducted, where
6 did you go?

7 A Then went to to Antron
8 McCray's house.

9 Q Who did you go with?

10 A I went with Detective Farrell and Whelpley
11 and other detectives from Sex Crime.

12 Q What, if anything -- withdrawn.

13 When you left Clarence Thomas' apartment,
14 did you leave alone?

15 A No, I didn't.

16 Q Who came with you?

17 A Detective Whelpley, Detective Farrell, and
18 we met with Detective Rosario and Detective Rivera
19 and Morin from Sex Crimes.

20 Q Did Clarence Thomas and his mother go with
21 you?

22 A Yes, they did.

23 Q Did you travel in the same car with them?

24 A Yes, I did.

25 Q Did you have any conversation with them

10/13/89

T4-fr

396

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 about why they were going with you?

3 A With him and his mother?

4 Q Yes?

5 A No.

6 Q How did you know where to go when you left

7 Clarence Thomas' apartment?

8 MR. JOSEPH: Objection.

9 MR. BERMAN: Objection.

10 THE COURT: I'll allow it.

11 Where were you going?

12 THE WITNESS: We were going to Antron

13 McCray's house.

14 Q How did you know where Antron McCray's
15 house was?

16 A Clarence's mother told us where it was.

17 Q Where did you go to find Antron McCary's
18 apartment?

19 A To

20 Q What happened when you arrived at

21 ?

22 A We knocked on the door and we spoke to
23 Antron's father, Bobby McCray.

24 Q Did you go to the door?

25 A I went to the door, yes.

10/13/89

NYCLD_023142

P-APP000567

T4-fr

397

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 Q Was anyone else with you?

3 A Yes.

4 Q Who was that?

5 A Detective Rosario, Detective Rivera, and
6 Detective Morin.

7 Q Did you personally speak to the person you
8 identified as Bobby McCray?

9 A No.

10 Q Were you present when there was a
11 conversation with him?

12 A Yes.

13 Q Who had that conversation?

14 A Detective Rosario.

15 Q What did you hear him say and what did you
16 hear Bobby McCray respond?

17 A He stated that he wanted to speak to Antron
18 at the Central Park Precinct and that Bobby McCray
19 would have to come with us also because Antron is a
20 juvenile.

21 Q And what happened then?

22 A And he agreed and told Antron to get
23 dressed.

24 Q And did Antron McCray and his father then
25 leave with you?

10/13/89

NYCLD_023143

P-APP000568

T4-fr

398

1 REYNOLDS - PEOPLE - DIRECT - LEDERER

2 A Yes, they did.

3 Q Do you recall whether anyone else from the
4 McCray family came?

5 A His mother came also.

6 Q And did they ride with you or did they ride
7 with someone else?

8 A I believe they rode with the detectives
9 from Sex Crimes.

10 Q What time did you return to the Central
11 Park Precinct, approximately?

12 A I'd say it was after 12:00.

13 Q When Antron McCray came with you -- and
14 left his apartment, what was he wearing?

15 A He had on the clothes that he was wearing
16 the night before. They were --

17 MR. MOORE: Objection.

18 MR. BURNS: Objection.

19 THE COURT: Objection sustained.

20 Do you remember what he was wearing?

21 THE WITNESS: No.

22 Q Was there a conversation with anyone in
23 your presence about what Antron McCray would wear?

24 A Yes.

25 Q What do you remember about that

10/13/84

NYCLD_023144

P-APP000569

T4-fr

399

1 REYNOLDS - PEOPLE - DIRECT - LEDERER
2 conversation?

3 A Detective Rosario asked Bobby McCray, he
4 asked him if Antron could wear the same clothes he
5 wore the night before, and they agreed.

6 Q Did you notice anything about his clothes
7 when he came out of the apartment?

8 A Yes, they were entirely covered with dry
9 mud.

10 Q When you returned to the Central Park
11 Precinct, did you conduct any interviews of any of
12 the suspects that you already named, that is, Kevin
13 Richardson, Steve Lopez, or Raymond Santana?

14 A No, I didn't.

15 Q And did you at any time conduct or were you
16 present during any interviews with Michael Brisco,
17 Kharey Wise, Antron McCray or Yusaf Salam?

18 A No.

19 Q Did you voucher any property in connection
20 with this case?

21 A No.

22 Q Did you go out and pick up any other
23 suspects in this case?

24 A No, I didn't.

25 MS. LEDERER: Thank you very much.

10/13/89

NYCLD_023145

P-APP000570

COMPLAINT - INFORMATION
PD 312 (Rev. 11-81)

Date of Report: 4/20/89
Complainant's Name: L.S.
P.S.N.:
Last Name, First:
Home Telephone:

Location of Perpetrator:
Wanted: ☐ Yes ☐ No
Sex: ☐ Male ☐ Female
Race: ☐ White ☐ Black ☐ Hispanic
Height: ☐ 5'0" ☐ 5'6" ☐ 6'0" ☐ 6'6"
Weight: ☐ 100 ☐ 150 ☐ 200 ☐ 250
Eye Color: ☐ Blue ☐ Brown ☐ Green
Hair Color: ☐ Black ☐ Brown ☐ Blond
Build: ☐ Slender ☐ Average ☐ Heavy
Scars, Marks, M.D., etc.
(Continue in "Details")

Area within box for Detective/Latent Fingerprint Officer only. This box will be utilized by investigator whenever possible and must be fully completed when using this form to close a case "NO RESULTS."

Comp. Interviewed: ☐ Yes ☐ No In Person: ☐ By Phone: ☐ Date: Results: Same as Comp. Report - Enhanced (English in Details)
Witness Interviewed: ☐ Yes ☐ No In Person: ☐ By Phone: ☐ Date: Results: Same as Comp. Report - Enhanced (English in Details)
Complaints Received: ☐ Yes ☐ No If Yes - Make Entry in Body Re: Time, Date, Name, Address, Results
Crime Scene Visited: ☐ Yes ☐ No If Yes - Make Entry in Body Re: Time, Date, Evidence Observed
Witness Viewed Photos: ☐ Yes ☐ No If Yes - Make Entry in Body Re: Time, Date, Evidence Observed
Crime Scene Photos: ☐ Yes ☐ No If Yes - Make Entry in Body Re: Time, Date, Evidence Observed
If Closing Case "No Results," Check Appropriate Box and State Justification in Details:
☐ C-1 Improper Referral ☐ C-2 Inaccurate Facts ☐ C-3 No Evidence/Can't ID ☐ C-4 Uncooperative Complainant

DETAILS: COMPLAINT: VICTIM FOUND BEAT AND BOUND INSIDE CENTRAL PARK
SUBJECT: INTERVIEW OF CLARENCE THOMAS M/B/14yrs

1) On this date at 0700hrs the undersigned along with Det Whelpley did interview Clarence Thomas M/B/14yrs DOB [redacted] of [redacted] in the presence of his mother Gloria Thomas who lives at the address. Clarence Thomas was under arrest at this time so the undersigned informed him and his mother of their rights from a card. Both Clarence Thomas and his mother Gloria Thomas acknowledge each right by stating yes and on the last right they agreed to answer questions without an attorney present. Clarence Thomas states that he and his friend Antron Mc Gray who lives on [redacted] and goes to JHS 11? (Exact address unknown) were on E 110th St and Madison Ave and they met approx 15 other males all about 13 to 15 yrs old. Clarence states that he did not know all of these males but he did know a guy named Polo who is a M/Bor H/15yrs and he hangs out on E 110th and Madison, a guy named Ralph M/B/15yrs who lives in the Taft projects and he knows Lamont McCall (See OD 5 Det Whelpley Re: Lamont McCall). Clarence states that the group was mixed with blacks and hispanics and that they all went into the park at E 110th and started walking into the park and south. Clarence stated that they were just hanging out that there was no plan on what they were going to do in the park. Clarence states that they entered the park at approx 2010hrs and he remembers the time because he knows that he met the group at 2000hrs and it took them about ten minutes to talk and then walk to the park. Clarence further states that as they walked thru the park some of the guys were throwing rocks at cars but none of the cars stopped except for a cab (yellow) that did stop but did not chase the group. Clarence also states that as they walked thru the park (location unknown) approx eight of the guys saw a male white 40's jogging who was wearing a sweater and blue shorts, and these eight guys started chasing the male white but after a few minutes five of the eight returned to the group stating that the guy got away.

Continued on page two

NYC022226

REYNOLDS EXH. 11

NYCLD_057950

P-APP000571

 COMPLAINT FOLLOW-UP INFORMATIONAL FD-302 (Rev. 12-13-88) (1-800-84)	Page 2	000873 Date of this report 4/20/89
	No. 022 Subsequent No. 281	

DETAILS:

CONTINUED FROM PAGE ONE RE: ASSAULT OF UNIDENTIFIED FEMALE WHITE

INSIDE CENTRAL PARK: INTERVIEW OF CLARENCE THOMAS

Cont; Clarence does not know what happened to the other three guys who chased the male white and states that they were guys he did not know by name that they were friends of Antron Mc Cray. Clarence states that he and the rest of the group continued south in the park and then at approx the middle of the park around 96th St about seven of the guys went after and beat up another jogger at the fence near the reservoir and this was a male white (could supply no further description). Clarence states that he and Antron Mc Cray ran out of the park and after awhile the other guys came out and they all started walking north on Central Park West and as they walked a green van turned into the street and pulled up to the group and one of the guys in the van said that they were the police and that no one should run but everyone ran any way. Clarence states that he ran to W 100th St and turned into the park and he tripped and fell to the ground and the police caught him. Clarence further states that the others all ran in different directions

When questioned about anyone else who the group had hit Clarence stated that there was an old bum who was a male white or hispanic that Lamont Mc Call had hit with his fist in the back of the bum's head and knocked him to the ground. Clarence further stated that the only other person he saw in the park, outside of the three he had mentioned was some people on a bike but that they did not go after them. Clarence states that the Bum was in the middle of the park and that the Bum was wearing a dark blue coat with grayish pants. When asked if anyone in the group had a weapon Clarence stated that there was a M/B in his teens tall wearing blue jeans with patches all over them and a beige trench coat and he had a pipe that was approx 14 inches long with one end taped with black tape. Clarence states that he does not know this tall male's name but that he saw this male take this pipe out of his pants with his right hand when they were at the reservoir with the man who had been beat but he did not see if the tall male hit the male white with the pipe. Clarence states that he was too far away from the seven guys to see who was hitting the white male. At this time Clarence was allowed to go home with his mother and the interview was discontinued

On this date at approx 1130hrs the undersigned along with Det Whelpley were at the home of Clarence Thomas and spoke to Clarence's mother first and told her that Clarence had to be spoken to again. Mrs Thomas invited the undersigned and Det Whelpley into her home and then went and woke up Clarence. Mrs Thomas brought Clarence into her kitchen and he sat down and did Mrs Thomas and at this point the undersigned reminded both of them of their rights and again told them they had the right to have an attorney present before speaking to the police. Both Mrs Thomas and Clarence agreed to speak to us without an attorney present. At this time Clarence stated that the pipe he told us about before was passed back and forth between the tall guy and Antron Mc Cray but Clarence still state that he did not see either of them hit the guy with the pipe. When asked about anyone else being beat in the park by this group, Clarence stated that the Bum Lamont hit but this time Clarence states Lamont beat the Bum with three other guy's and that they really beat the guy by punching and kicking him then they dragged this Bum off the road and on the curb and left him there bleeding. Clarence states he does not know the names of the three guys who beat the Bum with Lamont by name but that Antron might know them. Clarence and his mother agreed to show the undersigned where Antron lived and also agreed to come back to the Central Park Pct with the undersigned. While in auto 8475 Mrs Thomas directed the undersigned and Det Whelpley to [redacted] and stated that Antron lived in this building in apartment [redacted] Det Rosario along with Dets Rivera and Morin from Sex Crimes went into [redacted] and came out with the subject who was identified as Antron Mc Cray and his mother Linda Mc Cray and his father Bobby Mc Cray. Det Rosario informed the undersigned that he requested Mr and Mrs Mc Cray and Antron to come to the CPP and they agreed further Det Rosario asked that Antron wear the clothes he had been wearing before he went to bed and this was also agreed to by both parents and Antron. When Antron exited the building his clothes were covered with dried mud and were very dirty. Mr and Mrs Mc Cray and Antron were transported to the CPP in Sex Crime auto 731 and Mrs Thomas and Clarence were transported in DBMSTF auto 8475.

INVESTIGATION CONTINUING

Reporting Officer's Name and Signature Det [Signature]	Name Printed J FARRELL	File Registry No. 864631	Supervisor's Signature Sgt.	C.O. Initials
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NYC022227

NYCLD_057951

P-APP000572

COMPLAINT - FOLLOW UP INFORMATIONAL		PAGE 1 OF 2	
FD 313-081A (Rev. 1-86)		Pct	022
Complaint No		281	
Date of This Report		4/20/89	
Date of Orig. Report	Date Assigned	Case No	Unit Reporting
4/20/89	4/20/89	67	DBMSTF NIGHTWATCH
Complainant's Name: Last, First, MI		Victim's Name - If Different	
P. S. N. Y.		Unidentified F/W/20-30yrs	
Last Name, First, MI		Address, Include City, State, Zip	
Home Telephone		Business Telephone	
Position / Relationship		Sex	Race
Date of Birth		Age	
Wanted		Arrested	Weapon
Used		Possessed	
Describe Weapon (If firearm, give color, make, caliber, type, model, etc.)			
Wanted		Arrested	Last Name, First, MI
Address, Include City, State, Zip		Apt. No	Res. Pct.
Sex	Race	Date of Birth	Age
Height	Weight	Eye Color	Hair Color
Hair Length	Facial Hair	NYSID No.	
Eyeglasses	Sunglasses	Clothing Description	
Nickname, First Name, Alias	Scars, Marks, M.O., Etc.	Address in "Details"?	
Wanted	Arrested	Last Name, First, MI	
Address, Include City, State, Zip		Apt. No	Res. Pct.
Sex	Race	Date of Birth	Age
Height	Weight	Eye Color	Hair Color
Hair Length	Facial Hair	NYSID No.	
Eyeglasses	Sunglasses	Clothing Description	
Nickname, First Name, Alias	Scars, Marks, M.O., Etc.	Address in "Details"?	
AREA WITHIN BOX FOR DETECTIVE / LATENT FINGERPRINT OFFICER ONLY. THIS BOX WILL BE UTILIZED BY INVESTIGATOR WHENEVER POSSIBLE AND MUST BE FULLY COMPLETED WHEN USING THIS FORM TO CLOSE A CASE "NO RESULTS."			
Comp. Interviewed	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Witness Interviewed	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Convict Conducted	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Complainant Viewed Photos	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Witness Viewed Photos	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Crime Scene Visited	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
Crime Scene Photos	By	Date	Time
Results: Same as Comp. Report - Different (Explain in Details)			
If Closing Case "No Results," Check Appropriate Box and State Justification in Details: <input type="checkbox"/> C-1 Improper Referral <input type="checkbox"/> C-2 Inaccurate Facts <input type="checkbox"/> C-3 No Evidence / Can't ID <input type="checkbox"/> C-4 Uncooperative Complainant			
DETAILS: COMPLAINT: VICTIM FOUND BEAT AND BOUND INSIDE CENTRAL PARK SUBJECT: INTERVIEW OF CLARENCE THOMAS M/B/14yrs			
1) On this date at 0700hrs the undersigned along with Det Whelpley did interview Clarence Thomas M/B/14yrs DOB [redacted] of [redacted] in the presence of his mother Gloria Thomas who lives at the address. Clarence Thomas was under arrest at this time so the undersigned informed him and his mother of their rights from a card. Both Clarence Thomas and his mother Gloria Thomas acknowledge each right by stating yes and on the last right they agreed to answer questions without an attorney present. Clarence Thomas states that he and his friend Antron Mc Cray who lives on [redacted] and goes to JHS 117 (Exact address unknown) were on E110th St and Madison Ave and they met approx 15 other males all about 13 to 15 yrs old. Clarence states that he did not know all of these males but he did know a guy named Polo who is a M/Bor B/15yrs and he hangs out on E 110th and Madison, a guy named Ralph M/B/15yrs who lives in the Taft projects and he knows Lamont Mc Call (See DD 5 Det Whelpley Re; Lamont Mc Call). Clarence states that the group was mixed with blacks and hispanics and that they all went into the park at E 110th and started walking into the park and south. Clarence stated that they were just hanging out that there was no plan on what they were going to do in the park. Clarence states that they entered the park at approx 2010hrs and he remembers the time because he knows that he met the group at 2000hrs and it took them about ten minutes to talk and then walk to the park. Clarence further states that as they walked thru the park some of the guys were throwing rocks at cars but none of the cars stopped except for a cab (yellow) that did stop but did not chase the group. Clarence also states that as they walked thru the park (location unknown) approx eight of the guys saw a male white 40's jogging who was wearing a sweater and blue shorts, and these eight guys started chasing the male white but after a few minutes five of the eight returned to the group stating that the guy got away.			
Continued on page two			
Reporting Officer's Name	Name Printed	Tax Registry No.	Supervisor's Signature
Det. J. Farrell	J. FARRELL	854831	
CD's Initials			

NYC002949

NYCLD_058353

P-APP000573

COMPLAINT FOLLOW-UP INFORMATIONAL
FD-503 (Rev. 11-80) 24

PCL

Complaint No.

Date of This Report

022

281

4/20/89

DETAILS:

CONTINUED FROM PAGE ONE RE: ASSAULT OF UNIDENTIFIED FEMALE WHITE

INSIDE CENTRAL PARK: INTERVIEW OF CLARENCE THOMAS

003056

- 1) Cont; Clarence does not know what happened to the other three guys who chased the male white and states that they were guys he did not know by name that they were friends of Antron Mc Cray. Clarence states that he and the rest of the group continued south in the park and then at approx the middle of the park around 96th St about seven of the guys went after and beat up another jogger at the fence near the reservoir and this was a male white (Could supply no further description). Clarence states that he and Antron Mc Cray ran out of the park and after awhile the other guys came out and they all started walking north on Central Park West and as they walked a green van turned into the street and pulled up to the group and one of the guys in the van said that they were the police and that no one should run but everyone ran any way. Clarence states that he ran to W 100th St and turned into the park and he tripped and fell to the ground and the police caught him. Clarence further states that the others all ran in different directions
- 2) When questioned about anyone else who the group had hit Clarence stated that there was an old bum who was a male white or hispanic that Lamont Mc Call had hit with his fist in the back of the bum's head and knocked him to the ground. Clarence further stated that the only other person he saw in the park, outside of the three he had mentioned was some people on a bike but that they did not go after them. Clarence states that the Bum was in the middle of the park and that the Bum was wearing a dark blue coat with grayish pants. When asked if anyone in the group had a weapon Clarence stated that there was a M/B/ in his teens tall wearing blue jeans with patches all over them and a beige trench coat and he had a pipe that was approx 14 inches long with one end taped with black tape. Clarence states that he does not know this tall male's name but that he saw this male take this pipe out of his pants with his right hand when they were at the reservoir with the man who had been beat but he did not see if the tall male hit the male white with the pipe. Clarence states that he was too far away from the seven guys to see who was hitting the white male. At this time Clarence was allowed to go home with his mother and the interview was discontinued
- 3) On this date at approx 1130hrs the undersigned along with Det Whelpley were at the home of Clarence Thomas and spoke to Clarence's mother first and told her that Clarence had to be spoken to again. Mrs Thomas invited the undersigned and Dte Whelpley into her home and then went and woke up Clarence. Mrs Thomas brought Clarence into her kitchen and he sat down and did Mrs Thomas and at this point the undersigned reminded both of them of their rights and again told them they had the right to have an attorney present before speaking to the police. Both Mrs Thomas and Clarence agreed to speak to us without an attorney present. At this time Clarence stated that the pipe he told us about before was passed back and forth between the tall guy and Antron Mc Cray but Clarence still state that he did not see either of them hit the guy with the pipe. When asked about anyone else being beat in the park by this group, Clarence stated that the Bum Lamont hit but this time Clarence states Lamont beat the Bum with three other guy's and that they really beat the guy by punching and kicking him then they dragged this Bum off the road and on the curb and left him there bleeding. Clarence states he does not know the names of the three guys who beat the Bum with Lamont by name but that Antron might know them. Clarence and his mother agreed to show the undersigned where Antron lived and also agreed to come back to the Central Park Pct with the undersigned. While in auto 8475 Mrs Thomas directed the undersigned and Det Whelpley to [redacted] and stated that Antron lived in this building in apartment [redacted]. Det Rosario along with Dets Rivera and Morin from Sex Crimes went into [redacted] and came out with the subject who was identified as Antron Mc Cary and his mother Linda Mc Cray and his father Bobby MC Cary. Det Rosario informed the undersigned that he requested Mr and Mrs Mc Cary and Antron to come to the CPP and they agreed further Det Rosario asked that Antron wear the clothes he had been wearing before he went to bed and this was also agreed to by both parents and Antron. When Antron exited the building his clothes were covered with dried mud and were very dirty. Mr and Mrs Mc Cray and Antron were transported to the CPP in Sex Crime auto 731 and Mrs Thomas and Clarence were transported in DBMSTF auto 8475.

INVESTIGATION CONTINUING

Reporting Officer's Name, Signature, Department	Name Printed	Tax Registry No.	Supervisor's Signature	C.O.'s Initials
Det [Signature] DBMSTF	J FARRELL	864831	Sgt.	

CRIMINAL RECORDS SECTION

NYC002950

NYCLD_058354

P-APP000574

A. MCCRAY

1 Q. Anyone other than the detectives and the DA?

2 A. No, sir.

3 MR. DePAUL: So, for the record, I've just
4 handed Mr. McCray Antron McCray Exhibit B.

5 Q. Mr. McCray, can you just take a minute to review
6 that?

7 MR. DePAUL: And for the record, it is a
8 document that was produced by plaintiff's counsel
9 and bears Bates Nos. AM019026 through AM019033.

10 (Whereupon, the Witness perused the
11 document.)

12 Q. Mr. McCray, have you had the opportunity to
13 review this?

14 A. Yes, sir.

15 Q. This is a report --

16 MR. DePAUL: Strike that.

17 Q. Other than in the presence of your counsel,
18 Mr. McCray, have you ever seen this document before?

19 A. I can't recall.

20 Q. This is a report entitled "Inmate Status Report
21 for Parole Board Appearance," prepared by a M [REDACTED]
22 Sanacore (phonetic), in or about October of 1994.

23 Mr. McCray, can you please turn to the sixth page
24 of this document? It says page 6 at the top, and at the
25 bottom it bears Bates No. AM019031.

A. MCCRAY

1 And can you direct your attention to the first
2 two sentences of the first paragraph on this page?

3 A. Yes.

4 Q. Okay. Mr. McCray, this states -- it says,
5 Inmate's statement. The subject was interviewed by this
6 writer on 9/6/94, at Brookwood Secure Center. He admitted
7 to everything but the rape and beating of the female
8 jogger.

9 Mr. McCray, did I read that correctly?

10 A. Yes.

11 Q. Is that true?

12 MR. WAREHAM: Is which true?

13 Q. Is it true that you admitted to this individual
14 that you participated in everything but the rape and
15 beating of the female jogger?

16 A. I don't know who this individual is. I don't --
17 this is a parole board?

18 Q. Yes. It was an interview with the individual who
19 prepared this document. His name was M [REDACTED] Sanacore,
20 according to that document.

21 And, according to his report, you admitted to him
22 that you participated in everything but the rape and the
23 beating of the female jogger.

24 A. No, sir, I don't think this is true.

25 Q. Do you recall being interviewed by anyone before

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A. MCCRAY

1 your parole board appearance?

2 A. I told you I went twice. So, which time?

3 Q. Do you recall being interviewed by someone in
4 September of 1994 about your parole board appearance?

5 A. No, sir.

6 Q. So is the statement that you admitted to
7 everything but the rape and the beating of the female
8 jogger, is that mistaken?

9 A. This is mistaken, sir.

10 Q. Okay. I can take that back, Mr. McCray. We're
11 finished with it. Thank you.

12 MR. WAREHAM: You know, I would have let you
13 tell him -- to say, Is that one a lie? I would
14 have let that one in.

15 Q. So earlier before we took the break, you said
16 that you returned to your mother's apartment with Orlando?

17 A. Yes.

18 Q. And did your mother say anything to Orlando when
19 you were at her apartment?

20 A. Yes.

21 Q. What did she say?

22 A. She said, "Thank you for bringing my son home."

23 Q. And what did Orlando say?

24 A. He said, "No problem."

25 Q. And what happened after that?

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A. MCCRAY

1 A. Orlando left.

2 Q. And did you have a conversation with your mother
3 at that point?

4 A. My mother asked me was I okay, was my ankle okay.

5 Q. And what did you say?

6 A. I told her it was real sore.

7 Q. And did your mother mention anything about your
8 clothes?

9 A. Yes.

10 Q. And what did your mother say about your clothes?

11 A. What happened to your clothes?

12 Q. And what did you say?

13 A. I told her that I fell playing tag, fell in mud.

14 MR. DePAUL: I marked another exhibit while
15 we were on the break. It's Antron McCray Exhibit

16 C. The mark is on the back.

17 Q. Mr. McCray, can you take a look at that for me?

18 A. Yes, sir.

19 MR. DePAUL: And let the record reflect I'm
20 handing copies to counsel.

21 THE VIDEOGRAPHER: We're now off the record
22 at approximately 3:46.

23 (Whereupon, an off-the-record
24 discussion was held.)

25 THE VIDEOGRAPHER: Still tape No. 3. We are

A. MCCRAY

1 back on the record at approximately 3:48.

2 Q. So, Mr. McCray, I've just handed you a document
3 which has been marked Antron McCray Exhibit C?

4 MR. DePAUL: I want to state for the record
5 that this is a document which does not bear a
6 Bates number because it was produced to both
7 sides by the New York County District Attorney's
8 office after a visit that both sides took to the
9 New York County District Attorney's office to
10 decide which photographs each side wanted that
11 were in the possession of the District Attorney's
12 office.

13 For ease of reference, we can produce
14 this document with a Bates number; but for our
15 purposes now it's not necessary.

16 Q. So, Mr. McCray, have you had a chance to look at
17 the exhibit?

18 A. Yes, sir.

19 Q. And are these the clothes that you wore into
20 Central Park on April 19, 1989?

21 A. Yes, sir.

22 Q. And does this picture accurately reflect the
23 clothes that you wore into Central Park on April 19, 1989,
24 after you left the park?

25 A. Yes, sir.

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A. MCCRAY

1 Q. Did your clothes look like this when you left
2 Central Park on April 19, 1989?

3 A. Yes.

4 Q. Okay. We're finished with the exhibit.

5 So after you returned home, what did you do with
6 the clothes that you were wearing?

7 A. I put them in the tub.

8 Q. Did you wash the clothes at all?

9 A. No, sir.

10 Q. And why did you put them in the tub?

11 A. Because my mother told me to put them in there.
12 She was going to soak them.

13 Q. Okay. Do you know if your mother actually soaked
14 your clothes that night?

15 A. No, she didn't soak them, sir.

16 Q. What happened next?

17 A. I changed -- I changed my clothes. I put the
18 clothes in the bathtub, like my mother said, and we got a
19 phone call.

20 Q. What time did you get that phone call?

21 A. I don't know.

22 Q. And what happened next?

23 A. We got a phone call. I didn't answer the phone,
24 my mother did. I was sitting down on the couch watching TV
25 and my mother asked me where was Clarence Thomas.

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A. MCCRAY

1 Q. How long were you home before you got the phone
2 call?

3 A. Like a half hour, forty-five minutes.

4 Q. Okay. And then -- so your mother picked up the
5 phone?

6 A. Yes.

7 Q. Do you know who was on the line? At the time
8 that she picked up the phone, did you know who was calling?

9 A. At the time she picked up the phone?

10 Q. Yeah.

11 A. No, I didn't know who was calling.

12 Q. And your mother asked you where Clarence Thomas
13 was?

14 A. Yes.

15 Q. And what did you say?

16 A. I don't know.

17 Q. At that point, did you know who was on the phone?

18 A. Yes.

19 Q. Who was on the phone?

20 A. Clarence mother.

21 Q. Do you know Clarence's mother's name?

22 A. I did at that time.

23 Q. You don't now?

24 A. I can't remember.

25 Q. Were your mother and Clarence Thomas' mother

A. MCCRAY

1 friends?

2 A. No.

3 Q. Did they know each other?

4 A. Through me and Clarence.

5 Q. Okay. Had they -- had they -- so they met before
6 April 19, 1989?

7 A. Yes.

8 Q. Could you hear your mother speaking on the phone?

9 A. Yes.

10 Q. And what was your mother saying?

11 A. I'll ask Tron where he's at.

12 Q. And at that point, had she asked where he was?

13 A. Yes.

14 Q. Okay. And you replied to your mother that you
15 didn't know where Clarence was?

16 A. Yes, sir.

17 Q. Where did you think he was?

18 A. Right then at that point, I didn't know where he
19 was at.

20 Q. Did you think he had been caught by the police?

21 A. Caught or he got away or on his way home.

22 Q. Did you tell your mother at that point that you
23 and Clarence had been in the park earlier?

24 A. No.

25 Q. Did you hear your mother say anything else while

A. MCCRAY

1 she was on the phone?

2 A. Yes.

3 Q. What did she say?

4 A. When he get in, give me a call.

5 Q. Okay. And how long did that phone call last?

6 A. I don't know, sir.

7 Q. Was it more than five minutes?

8 A. Yes.

9 Q. Was it more than ten minutes?

10 A. I don't know, sir.

11 Q. So what happened after your mother got off the
12 phone?

13 A. My mother asked me again where's Clarence.

14 Q. Okay. And what did you say?

15 A. I told her I didn't know.

16 Q. Did you say anything else?

17 A. She said -- that was it. She asked me where was
18 he at. I just told her I didn't know.

19 Q. And at that point, did you tell her that you had
20 been in Central Park?

21 A. No.

22 Q. Why not?

23 A. Because I know I wasn't supposed to be in Central
24 Park.

25 Q. What happened next?